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**Tension:  
Drought  
regulations  
and property  
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# CAROLINA JOURNAL

A MONTHLY JOURNAL OF NEWS, ANALYSIS AND OPINION  
FROM THE JOHN LOCKE FOUNDATION

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extra personal day/9**

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August 2008 Vol. 17. No. 8

**STATEWIDE EDITION**

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## Environmental Agenda Gives Dark Green Hue To K-12 Instruction

Teacher-training courses also push 'green' view

BY KAREN MCMAHAN  
Contributing Editor

RALEIGH

An analysis of the N.C. Standard Course of Study and support materials for grades K-12 shows a dark green trend. Activist environmentalism is being interwoven into the curriculum, not just in earth or environmental science.

A review of professional development programs for N.C. teachers shows a similar rise in the number of courses aimed at helping teachers integrate environmentalism into their pedagogy.

Many of these courses educate teachers on how to expose students to complex public-policy issues, such as population dynamics, sustainable development, carbon footprints, and biodiversity, and to encourage them to become agents of social change.

North Carolina, like the rest of the nation, faces a shortage of certified science teachers. In 2002, a National Center for Education Statistics report found that 49 percent of middle-school students in the United States were taught science by teachers with little or no training in science, often meaning no degree in science.

Since 1997, however, the Office of Environmental Education, supported by the General Assembly, the EPA, and other organizations, has offered an environmental education certification program for teachers. Across the state, there are 180 environmental education centers.

*Continued as "Environmental," Page 3*



## N.C. lawmakers approve \$875 million in debt unapproved by voters

BY DAVID N. BASS  
Associate Editor

RALEIGH

North Carolina's fiscal 2008-2009 budget, signed into law July 15 by Gov. Mike Easley, contains a record \$857 million in nonvoter-approved borrowing for capital construction projects, including an oyster hatchery, horse park, and polar bear exhibit.

The unauthorized debt is a small portion of the total \$21.4 billion budget, which passed the

House, 97-20, and the Senate, 32-14, July 8. The spending plan also allots \$42 million in corporate give-aways and \$15 million in dropout prevention grants. It adds millions in pork-barrel spending and funds several environmental projects, among them a study on plastic recycling in the state.

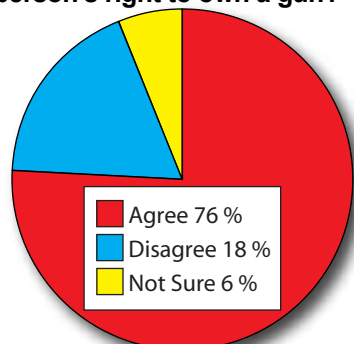
Overall, state lawmakers increased spending by 3 percent, down from last year, when negotiators fattened the budget by three times that amount. Although the budget includes unspecified tax

cuts and halts transfers out of the Highway Trust Fund, it devotes no money to the state's rainy day fund and comes \$114 million short of meeting recurring expenses.

"The biggest concern I've heard expressed by individual members, and by citizens at large, has to do with the level of borrowing that is contained in this budget," said Senate Minority Leader Phil Berger, an Eden Republican,

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Do you agree or disagree with the Supreme Court's decision affirming a person's right to own a gun?



Civitas Institute Poll, July 2008

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## Lawmakers Use COPs Ploy to Assume Debt

Continued from Page 1

who voted against the budget.

"We've heard a lot of talk about how consumers have gotten in trouble through practices that are employed by predatory lenders. I like to refer to the borrowing that's taking place in this budget as predatory borrowing," he said.

In addition to using credit rather than cash to pay for the more than two dozen capital construction projects, budget negotiators earmarked \$217 million during the next two fiscal years for the Biomedical Research Imaging Center at the University of North Carolina at Chapel Hill. The provision obligates future sessions of the General Assembly to devote the funds necessary to pay for the project.

### Charge it

Most of the debt is made possible through state-issued certificates of participation, a method of borrowing that does not require legislators to obtain voter approval. Interest rates are higher compared with other forms of debt, such as general obligation bonds.

That's drawn opposition from some legislators. "We're leaving our citizens out when they are not given the ability to vote for the general obligation and apply the full faith and credit of the state to those bonds," said House Minority Whip Bill McGee, R-Forsyth.

Other lawmakers see the new indebtedness differently. "The contractors are hungry, and the interest rates are low, and we have a big new group of university students on the way," House Speaker Joe Hackney, D-Orange, told The Associated Press. "Together with the stimulus effect, all that argues in favor with going ahead."

Most of the COPs went to finance construction projects for universities and prisons. Among a dozen smaller allocations, this year's debt financing included \$50 million to help the Land for Tomorrow fund, operated by the Department of Environment and Natural Resources, to buy land for conservation purposes.

The budget also finances \$45 million for "new buildings and pavilions and renovating existing buildings" at the N.C. Museum of Art; \$4.3 million for an oyster hatchery at the Center for Marine Science at UNC-Wilmington; \$2.4 million for a horse park in Rockingham County; \$2.7 million for a polar bear exhibit at the N.C. Zoo; and \$10 million to install fire sprinklers in the residence halls of the UNC system.

"That level of borrowing is going to create a situation where we're either going to have budget shortfalls because



From left, House Minority Leader Paul Stam, Senate Minority Leader Phil Berger, Rep. Bill McGee, and Rep. Dale Folwell at a press conference on the budget. (CJ photo by David N. Bass)

of the debt service or we've going to see significant increases in taxes in order to cover the debt service," Berger said.

A smaller portion of the unauthorized debt — \$107 million, obtained through two-thirds bonds that also do not require voter approval — funds a new 172,000-square-foot office building for DENR in downtown Raleigh, an expansion of the N.C. Museum of Natural Sciences, and a parking deck.

### Corporate welfare, pork back

Despite the additional debt service, budget crafters kept a tighter rein on the state purse strings this year than in past sessions. Spending increased marginally compared with the last fiscal year. Legislators included an untargeted tax relief fund and authorized an additional \$18.7 million in tax credits.

The budget, however, still earmarks tens of millions of dollars in corporate welfare. The Job Development Investment Grants Reserve was the biggest-ticket item at \$15 million in funding. A combined \$9.5 million went to entities that aim to attract industries to the state, including the One North Carolina Fund and the Green Business Fund, and \$5 million to the Biofuels Center of North Carolina.

Pork-barrel spending was back as well. Budget crafters devoted \$1.5 million to the Charlotte culinary school Johnson & Wales University, state funding for which was committed originally in 2002 by disgraced former House Speaker Jim Black. Smaller amounts went to fund a Penderlea Homestead Museum in Willard, research on the 18th century shipwreck of the Queen Anne's Revenge, the Kids Voting program, and the John Coltrane Music Hall in High Point.

The spending and new indebtedness troubled Rep. Dale Folwell, R-Forsyth, who called the budget "generational injustice" and said lawmakers

were closing their eyes to the financial hardships facing the state.

"Instead of expanding our balance sheets and income statements during these bad economic times, the state should be doing what every citizen in North Carolina is having to do with their own pocketbook, and that is contracting it to make it smaller," he said.

Less than half of Republicans in the House voted against the budget, and some praised the final version for reducing transfers out of the Highway Trust Fund by \$25 million and putting \$700,000 in a tax relief reserve fund.

"The upside of the budget is that the overall spending trend is down considerably from what we have seen the Democrats do in recent years," said Rep. Nelson Dollar, R-Wake, who joined 32 other House Republicans in voting for the budget.

"There were no tax increases for a change ... There is tax relief in there. All those things are provisions that Republicans have been working on this session, and we're glad to see those in there," he said.

Among other items, the budget contains a 3 percent pay increase for public school teachers and a 2.75 percent, or \$1,100 raise, whichever is greater, for state employees. Both were less than Easley requested in his budget proposal.

The budget anticipates \$385.5 million in net revenue from the state lottery for the new fiscal year, a slight increase from last year's forecast. In addition, legislators took \$19.8 million from the Education Lottery Reserve Fund to maintain student-teacher ratios in the early elementary grades.

As in past sessions, some lawmakers and open-government groups complained about the budget-making process, which they say lacks transparency and accountability. A handful of top lawmakers have final say on what goes into the budget, and many members are excluded from the process.

On June 26, House and Senate leaders barred a *News & Observer* of Raleigh reporter from a budget negotiations meeting. Senate Majority Leader Tony Rand, D-Cumberland, could not explain why the press would be excluded under the state's open meetings law, the newspaper reported. CJ

**'Certificates of participation' allowed lawmakers to assume debt without voter OK**

# Environmental Agenda Turns K-12 Curriculum Dark Green

Continued from Page 1

The Office of Environmental Education Web site touts its achievement in "providing significant input to the National Assessment for Education Progress 2009 Science Framework." The Web site says, "The original draft had removed practically all of the environmental science content and environment education concept."

While the performance of U.S. students in science and math continues to fall further behind their global counterparts and recently released preliminary results from No Child Left Behind tests show many Triangle schools failing to meet federal standards, N.C. public schools are increasingly focusing on social, gender, and eco-justice issues.

## Lack of cooperation

During the research for this article, elementary, middle, and high schools from Wake, Chapel Hill-Carrboro, Orange, Guilford, Durham, and Charlotte-Mecklenburg were contacted. Of the 16 schools reached, three teachers agreed to an interview.

Most school officials, after learning the article would be about environmental education in the schools, asked specific details on the context of the article and said their central office prohibited them from speaking to the media without permission from their public relations staff. No public relations staff returned phone calls or e-mails. Voice and e-mail messages for the N.C. Department of Public Instruction's middle and secondary science section chief were not returned.

## Hidden agendas

The growing focus on environmentalism is buried in a complicated maze of links on the DPI Web site, where one can find the materials that teachers are using in the classroom.

Supporters of environmental education believe it's important to raise awareness about climate change. Lynne Gronback, an environmental science teacher at Cedar Ridge High School in Hillsborough, said it would "be unethical not to have students learn environmental science, because it incorporates all the sciences. Students have to breathe air, drink water, eat food, so they should consider how what they do impacts the environment." Gronback said she took her students on a field trip last year to an organic farm in Chapel Hill to learn about environmentally friendly farming that used an integrated power system and that had a low carbon footprint.

"Environmental science demands high cognition skills, and that's what we want," Gronback said. "In 2002, the state added earth-environmental science as a graduation requirement, one of few states that require it," Gronback said.

Tim Toben of WorldLink ([www.powershiftnow.org](http://www.powershiftnow.org)) credits Gronback as the architect and champion of en-



The home page of the WorldLink, which produced a film being used in school curricula, says its goal is "inspiring global citizenship" and encouraging individuals and groups "to actively participate in creating a sustainable future."

vironmental education in N.C. public schools beginning five years ago. Gronback, however, was reticent to accept full credit, saying it was a team effort, including Toben, who helped win support from DPI to expand environmental science education in public schools.

WorldLink is the producer of "Power Shift," a video on renewable energy. Toben said about five years ago, his organization gave more than 1,000 free copies of the video to universities and schools across the United States, including North Carolina, to educate teachers and students about renewable, clean energy.

WorldLink's Web site states that its audience is middle and high school teachers and students and that its purpose-mission is to cultivate "design scientists" who "think and act as global citizens" and who "influence social change."

Gronback said she uses "Power Shift" in her classroom, and the state Standard Course of Study has a link to the video in its support document for earth-environmental science. When asked whether she brings in speakers or provides information about opposing views on the environmental debate, Gronback said her students make up their own minds.

"It's hard to get change unless you get people singing the same song loud enough," Gronback said.

Gronback volunteers with NC Green Power and is involved with the Environmental Education Fund, an N.C. nonprofit that supports environmental education programs and a public environmental education campaign. The Fund's Web site states that it "monitors the need for these efforts through surveys of the general public and teachers."

Tiffany Rich, an instructional resource teacher at Brier Creek Elementary School in Raleigh, said her school has recycling programs and an energy savers program, among other resources, to teach children about the environment.

Candace Leverette, a geology, physics, microbiology, and forensics teacher at Aycock Middle School in Greensboro, said she focuses mainly on earth science. Aycock is a science and technology magnet school. Leverette said she recently secured a \$2,500 grant to expand the school's landscaping program, one of several hands-on activities they use to reinforce student learning. "We also invite local landscapers to talk with the students," Leverette said, "and we've taken students on trips to local rock quarries and visited caves to give them more hands-on learning about geology and science."

The notion of teaching children that doing things for the environment, sacrificing personal freedom and comfort, bearing greater economic hardship, having fewer children, and giving the government greater control over one's life all for the greater good is a consistent underlying message in many of the materials and resources, as is the notion that nature is inherently more noble than mankind.

NC Learn (<http://www.learnnc.org/scos/>) provides curricular materials aligned to the N.C. Standard Course of Study for all grades. Clicking through each of the grades and subjects, one can find the learning objectives and associated resources. In one example for K-1, a related link suggests a lesson plan in which teachers introduce children to the notion of pet overpopulation in North Carolina. Others discuss the disappearance of animal and plant species because of human overpopulation.

National Geographic's Xpedition link on NC Learn offers a number of programs for teachers and students, one of which has children in grades one through five drawing conclusions about

human settlement patterns based on photos of beaches, with the discussion to center around how human actions modify the environment.

On Sci-Link, teachers can link to lesson plans, workshops, and other resources aligned to the state Standard Course of Study. Rain forest preservation and biodiversity are central themes in language arts, math, science, and social studies courses. Teachers also help students learn to build a nature trail or launch a Save Our Mountains campaign.

The DPI Web site links to a set of educator role plays by NOVA, called "World in the Balance" ([www.pbs.org/wgbh/nova/worldbalance/role-play/](http://www.pbs.org/wgbh/nova/worldbalance/role-play/)), that focus on population and global warming. Children take the role of Chinese government officials, environmental activists, immigration activists, and so forth, where they debate and negotiate public-policy issues. In "Who Will Take the Heat," the presupposition is that global warming is caused by human factors and that by changing human-induced factors, the dangers will subside.

Students are told that while all "richer, industrialized countries" are at fault, "people in the U.S. use more fossil-fuel energy per person than in any other country." They are also told that "all of the richer countries have democratically elected governments whose leaders are focused on doing things that benefit voters today."

Students are tasked with negotiating climate change agreements. They also write position and research papers dealing with greenhouse gas emissions and other issues related to global climate change.

In another interesting link to teacher development and student activities provided by Tim Toben of PowerShift, The Center for Education, Imagination and the Natural World at Timberlake Farm, a 165-acre earth sanctuary,

in Whitsett, N.C., is also promoted by the Office for Environmental Education.

The Center draws on the philosophies of ecotheologian Thomas Berry and Creation Spiritualist Matthew Fox to teach children that the natural world is a sacred reality, not a commodity. Fox is renowned for A.W.E., which stands for ancestral wisdom education. These views have their roots in ancient mysticism, pantheism, and even Wicca, all of which are earth-centered or a blend of earth/science-based philosophies.

While public school students do learn real science, the problem is that educators are moving beyond pedagogy into the realm of advocacy, critics say. CJ

**Critics say  
teachers have  
moved from  
pedagogy to  
advocacy**

# NCSU Provost Says He Acted Alone in Hiring of Mary Easley

## Conflict of interest questions surround one trustee's approval

By DON CARRINGTON  
Executive Editor

RALEIGH

The provost of NCSU says that he alone hired first lady Mary Easley in 2005 and that he approved her 88 percent pay raise to \$170,000 a year July 1. Meanwhile, conflict-of-interest questions surround the involvement of the NCSU Board of Trustees chairman in the approval of Ms. Easley's raise.

The provost, Larry Nielsen, said details that led to the hiring of Ms. Easley at North Carolina State University were unclear; he said he didn't remember whether anyone suggested he talk with her.

After Ms. Easley's raise became public, NCSU officials scrambled to justify the action and acknowledged they had not been monitoring the approval process for large pay increases.

In addition, *Carolina Journal's* investigation of the matter reveals a potential conflict of interest. Because of his longtime friendship with Gov. Mike Easley, trustees chairman D. McQueen Campbell appeared to have had a conflict of interest when he approved Ms. Easley's job and 88 percent raise.

The governor appointed Campbell to the Board of Trustees in 2001 and reappointed him in 2005. Campbell was elected chairman in 2007.

Campbell played a key role in a 2005 real estate transaction in which the Easleys purchased a Carteret County waterfront lot for \$549,880. News reports later showed that the price the Easleys paid for the lot was significantly less than comparable sales in the same development. One year after the purchase county tax officials appraised the lot at \$1.2 million.

### Transition to NCSU a mystery

Ms. Easley was employed at North Carolina Central University School of Law from August 1995 until August 2005. She was a part-time assistant professor paid \$74,428 for teaching two courses when she resigned.

Nielsen said that before he became interim provost in 2005 he had contemplated developing a "high-level" speaker series for NCSU. On June 27, 2005, the NCSU Board of Trustees reported that Nielsen had been named permanent provost.

Nielsen said he met Ms. Easley on May 2, almost two months before his selection as provost. Documents obtained by *CJ* show that Ms. Easley sent her résumé by fax to Nielsen's office on that day.

Other documents show that Ms. Easley was interviewed May 17. On May



Provost Larry Nielsen



First lady Mary Easley



Trustee D. McQueen Campbell

26 Nielsen approved a new position with the title of lecturer. "The primary duties will be to direct the university speaking program and to teach three courses per year in the College of Humanities and Social Sciences and the College of Management," the job description said.

Nielsen said the new position did not require a job study by a human resources professional. The job opening was not advertised. "I saw a unique opportunity for a unique individual," he said.

Nielsen signed another form May 26 putting Ms. Easley in the new job at a salary of \$80,000 a year. Two years later Nielsen increased her salary to \$90,000.

When asked who suggested that he consider Ms. Easley for a job, Nielsen said, "I can't remember. I don't recall." When asked whether it was Campbell, Nielsen said, "I don't remember."

When asked whether Campbell had a role in the recent decision to raise Ms. Easley's salary to \$170,000 a year, he said Campbell had no role.

### Initial NCSU reaction

*Carolina Journal Online* published the story about Ms. Easley's pay increase July 2, and other media quickly picked it up. The Board of Trustees conducted a regularly scheduled meeting July 8.

According to the minutes of the meeting: "Chair Campbell called the meeting to order at 4:05 p.m. He reminded all members of their duty to avoid conflicts of interest and appearances of conflicts of interest under the State Government Ethics Act and inquired as to whether there were any known conflicts of interest or appearances of conflict with respect to any matters coming before the Board at this meeting. Being none he called upon Assistant Secretary P. J. Teal for the roll call."

After the open session business was concluded, the board went into closed session to consider personnel appointments. Nielsen confirmed that Ms. Easley was discussed in the close session.

Nielsen said July 9 that he and Chancellor James Oblinger met with UNC System President Erskine Bowles to discuss Ms. Easley's position and pay.

processes are consistent with Board guidelines," Oblinger said.

He said Ms. Easley's new contract and salary and several other contracts will be reviewed at the next UNC system Board of Governors meeting Sept. 12. In the meantime, Nielsen said, Ms. Easley continues to be paid at the rate of \$90,000 a year.

Since Ms. Easley's position is considered an academic-year appointment, she isn't expected to work during the summer. Nielsen said that she came to work sometimes anyway and that a state trooper always accompanied her.

### About Campbell

Campbell, a 1993 graduate of NCSU, became a real estate broker in 2000. A *Charlotte Observer* story in 2006 described him as a longtime friend and campaign contributor of Easley's. He also introduced the governor to Cannonsgate, a Carteret County waterfront development.

In addition to running his Raleigh-based company, Campbell Property Group, Campbell is the director of acquisitions for a group of waterfront development and financing companies headed by William G. (Gary) Allen, an N.C. native who now lives in Florida. Allen's companies developed Cannonsgate.

In 2006, when asked about his relationship with the governor, Campbell told the *Observer*, "It's pretty common people are going to do business with people they know and trust. I don't know too many people who do business with their enemies."

According to the *Observer*, Cannonsgate salespeople used the governor's purchase to help market the other lots.

Campbell did not return phone calls for this story. *CJ*



## HEADLINER SERIES



**ROY SPENCER PH.D.** (RALEIGH LUNCHEON EVENT)  
NOON, SEPT. 16, 2008, HOLIDAY INN BROWNSTONE  
TOPIC: "CLIMATE CHANGE: HOW GLOBAL WARMING HYSTERIA LEADS TO BAD SCIENCE."



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TOPIC: "THE 2008 ELECTIONS."

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# Drought Regulations Trouble Property-Rights Advocates

## New drought-response plan mandates restrictions, expands governor's authority

By DAVID N. BASS  
Associate Editor

RALEIGH

After weeks of wrangling, state legislators in mid-July approved a scaled-down version of Gov. Mike Easley's drought response plan that broadens executive authority over local water systems but stops short of letting local governments regulate private well owners.

The final version, passed July 18 by the General Assembly and sent to Easley for his signature, still doesn't sit well with opponents, who say the bill goes too far in expanding the state's authority and will lead to more restrictions.

"We've started down the slippery slope of regulating private wells," said Rep. Mitch Gillespie, R-McDowell, shortly after the House voted, 68-36, to approve the bill. "They are going to continue to study the regulation of private wells, surface water, groundwater, and water supply. There are going to be more and more regulations coming."

### Some say powers necessary

Supporters said the drought measures, including the governor's expanded power, are necessary to combat future water shortages. "If we have a state-wide emergency, we need to give authority to more than just the local government ... it makes sense to have that enforcement ability," said Rep. Verla Insko, D-Orange.

Lobbyists for farm and groundwater associations took particular umbrage to a section of the bill that would have let local governments regulate private wells. Sponsors removed the teeth of the provision by substituting language that directs the Environmental Review Commission to study the issue only.

The change didn't go far enough for some lawmakers. "There is still a lot that we simply don't know," said Rep. Nelson Dollar, a Wake County Republican.

"The bill has changed so many times, there have been so many amendments that were put in and then taken out, and we can't get a clear and definite statement on private wells," he said. "The concern is that the camel's nose is getting under the tent in some shape, form or fashion."

During debate before the Senate passed the bill, 36-9, Sen. Dan Clodfelter, D-Mecklenburg, tried to assure legislators that private wells would not be regulated. "This bill does not make any changes in whatever the current law may be about groundwater supplies or private wells," he said.

### Broadened powers

The new regulations streamline the drought management process by boosting the governor's executive authority and requiring local water systems to submit water conservation plans to the state government. Large water users are obligated to register with the state and report their usage. Municipal violators face up to \$10,000 per month in fines.

Under the bill's language, the governor could declare a "water shortage emergency" in drought-ravaged areas of the state. Officials could impose water-use rules and, if necessary, divert water from a local water system with an excess supply of water to the system experiencing the shortage.



A sense of urgency that some critics likened to panic took hold last fall when area reservoirs, such as Durham's Lake Michie above, were down to a few weeks of water. (CJ file photo)

Landowners could be affected, too, since the bill allows municipalities to use private property to connect water lines to another source without first obtaining a right of way.

### Private water concerns

Rep. David Lewis, R-Harnett, proposed an amendment that would have "sunsetted" the governor's power by March 2009. Lewis had concerns about the bill's provision that allows the state to hook into a private water source during a drought emergency and remove water for another area experiencing a shortage.

"It's kind of like asking a farmer who has grown crops to give up his crops by force so that others can eat," he said.

The amendment failed, 44-67, after Rep. Pryor Gibson, D-Anson, a cosponsor of the drought legislation, strongly opposed the proposed change during debate on the House floor.

"[This] completely defeats the whole purpose of the exercise we've been going through for the last year," Gibson said.

The bill also requires large water users to register their consumption with the Environmental Management Commission no more than two months after the initiation of a daily withdrawal of 100,000 gallons per day or more. Water users who withdraw 10,000 gallons or more per day could register voluntarily with the state and would receive preferential treatment in the event of a water shortage emergency for doing so.

Lawmakers haggled particularly over one provision of the bill that requires local water systems to craft drought response plans. Earlier language laid out specific water-use reductions in times of extreme or exceptional drought, but the enacted version is more vague and requires only tiered levels of water conservation.

In the event of a drought emergency, the state government can force local water systems to go to the next tier of restrictions if doing so would minimize the drought's impact on "public health, safety, and the environment."

Easley's original drought response plan, announced at a press conference in March, contained a number of divisive elements that legislators removed

or revised before giving their stamp of approval. The groundwater regulations were especially controversial and prompted an amendment clarifying that no part of the bill could be construed to allow the government to tamper with private wells.

"Luckily, we had enough folks stand up this time to oppose the bill as it was written," Gillespie said.

### Property rights concerns

Opponents maintain that the restrictions fail to address drought in a way that respects private property rights.

"In the end, local government did a fine job of managing their water supplies through the last drought," said Chad Adams, director of the Center for Local Innovation. "A better solution would have been to recognize the simple concept of supply and demand. Conservation can be controlled by price much more simply than burdensome and complicated regulations. If water prices go up, usage goes down."

Rep. Cullie Tarleton, D-Ashe, said he was disappointed that nothing in the bill addressed voluntary water conservation. "That's something we've got to get serious about," he said. "I can't quantify this, but I bet if we get serious, we could achieve savings just by promoting water conservation, and there is nothing in this bill that does that."

Other lawmakers pointed out that the bill does not address increasing water supply through creating new reservoirs or expanding existing sources. Dollar said that the General Assembly should focus on the supply angle when it convenes next year.

"When we come back in 2009 and we fix some of the problems that we're going to create by passing this bill, we will [need] to focus on water supply in North Carolina and finding ways to increase that without over-regulating private wells and getting into people's lives," he said.

Gibson said there are some "fuzzy things" in the drought bill to encourage water supply, but it does not address the issue directly. "I don't believe this bill is the avenue to address water allocation and water supply," he said, adding that legislators would take a look at the issue in the future.

# Lawmakers Dilute New 'Devastating' Stormwater Rules

BY MITCH KOKAI  
Associate Editor

RALEIGH  
State lawmakers approved legislation in the closing days of this year's session that diluted controversial new coastal stormwater rules. Leaders of the state's 20 coastal counties had protested the rules, calling them "devastating" for coastal communities.

The Senate voted, 48-0, and the House voted, 105-4, to approve Senate Bill 1967. Supporters acknowledged that the bill represented a compromise. It generated little enthusiasm among people interested in coastal stormwater issues.

"I wish I could tell you that everybody loves what they've come up with," said Sen. Dan Clodfelter, D-Mecklenburg. "They do not. It is one of the more unloved bills that you'll probably see this session, but by the same token, it's a bill that ... most of the folks who were participating in the working process at least think they can live with."

Clodfelter's comments on the Senate floor echoed earlier discussion of the bill in the Senate's Agriculture, Environment, and Natural Resources Committee.

"I wish I could tell you that everybody supported and was in favor of this compromise," said George Givens, the lawyer who leads the General Assembly's staff work on environmental legislation. "Actually, the opposite is true. There's hardly anybody that likes it entirely in every direction. It's the best I have to offer."

The final version of the bill followed a negotiation process that involved more than 30 hours of public meetings from April to July. "I do respect and think the General Assembly needs to take account of the hard work that's been done to get to a point where at least if no one is entirely happy, at least no one is entirely unhappy with where we've ended up," Clodfelter said during the final Senate committee meeting on the topic. "I think ... that the [bill] does move substantially in the direction of some of the concerns raised by those who had objections to the rules."

Objections first surfaced when the N.C. Environmental Management Commission voted earlier this year to add new requirements to the state Coastal Stormwater Rule. The nearly 20-year-old rule is designed to limit pollution linked to stormwater runoff in North Carolina's 20 coastal counties.

In 2005, staff with the N.C. Division of Water Quality "concluded that the existing Coastal Stormwater Rule was outdated and ineffective in providing an adequate level of environmental protection to the coastal ecosystem," according to a legislative staff summary of the bill.

The state water-quality staffers determined that stormwater runoff caused 90 percent of shellfish water closures. They recommended updated rules to



Rules designed to limit pollution from coastal properties during stormwater runoff left few legislators or landowners completely satisfied. (CJ file photo)

protect coastal waters. The Environmental Management Commission adopted new rules in January, and the state's Rules Review Commission signed off on the proposed rules in March.

## 'Disapproving' the rules

Without legislative action, the new Environmental Management Commission rules would have taken effect when the legislature adjourned. The bill was designed to short-circuit that process. Sen. Julia Boseman, D-New Hanover, filed the original bill, and 23 colleagues from both parties signed on to the measure. In its original form, it would have simply overturned or "disapproved" the EMC rule.

The Assembly could have decided to overturn the rule. Instead, the final version of the legislation combined input from regulators, local government leaders, developers, economic development officials, and environmental interests working through a Coastal Stormwater Rules Working Group.

The Environmental Management Commission's proposed rule would have reduced the amount of new development on land within a half-mile of the drainage area for shellfish waters. Current rules limit the "impervious," or hardened, surfaces in those areas to 25 percent of the affected property. The proposed rule would have cut that percentage to 12 percent. Outside that half-mile, permitted impervious surfaces would drop from 30 percent to 24 percent.

New development also would have faced new restrictions through a larger "vegetative setback" requirement, a smaller threshold for development that triggers stormwater management, and new limits on the use of wetlands in calculating permitted development.

The last version of the bill, known as a proposed committee substitute, removed or diluted some of those requirements. No one praised the legislation during public meetings,

but representatives of several counties shared their grudging acceptance of the compromise.

A lobbyist working for 12 northeastern counties — Beaufort, Bertie, Camden, Chowan, Currituck, Gates, Hertford, Hyde, Pasquotank, Perquimans, Tyrrell, and Washington — offered a lukewarm endorsement. "We knew that the original rules would be devastating," said Henri McClees, who is also executive director of the Fisheries Development Foundation of N.C. "We are in support of this proposed committee substitute because substantial changes have been made."

Some opponents of coastal stormwater rules are still unhappy with the compromise. "On behalf of the thousands of landowners in the 20 coastal counties of North Carolina, I want to commend you on your loyalty to the powers-that-be and for having the cour-

age to totally ignore the wishes of the public taxpayers who pay your salary and who will be paying your retirement," Zack Taylor wrote to Givens in an e-mail delivered the morning before the full Senate vote. Taylor is a New Bern developer and publisher who opposes coastal stormwater rules. "Your dedication to 'political science' rather than trivial matters such as 'truth and justice' leaves a stench that smells far beyond the halls of power in Raleigh."

"If I had known that the stakeholders meeting was another 'sham' to give the public and our representatives the impression that everyone was equally represented at the table, I would not have wasted my time and energy to attend," Taylor's e-mail said. "Hopefully someday people like you and your partners-in-subversion will be replaced by persons of character that will take their fiduciary duties seriously, and some integrity will be restored to the political system."

## Changing the EMC's role?

Debate over stormwater rules could trigger a long-term change in the relationship between the legislature and the Environmental Management Commission, if committee discussion about the bill offers any clues.

Lawmakers created the Environmental Management Commission and charged it with adopting rules on a wide range of environmental subjects, Givens said. "As time has gone on, I think the practical effect of legislative review of rules is that the EMC has become an advisory body to the legislature, and in a real sense we're their final arbiters. It may be appropriate to rethink the role of the EMC at some future time and in some future bill. But this is not that bill." CJ



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*Ethics rules allow it*

## Legislators Enjoy Privately Paid Travel

BY HAL YOUNG  
Contributing Editor

**N**orth Carolina's congressional delegation and their families have taken 160 trips paid for by private individuals or organizations since 2000. The total cost of nearly \$600,000 ranges from \$200 domestic overnights to weeklong visits to Europe and Asia that approach \$20,000 per member.

While such figures may be eye-popping to voters sweating at the gas pumps this summer, elected officials and private organizations say the practice is legitimate and will continue.

Ethics rules require members of Congress to file prompt disclosures of any travel paid for by private individuals or organizations.

The new rules make a distinction between "golf junkets with lobbyists," as one congressman's office described it, and trips connected with official duties, even if broader than the member's committee assignments.

Rep. Mel Watt, D-12th, has taken 41 privately funded trips since 2002, the most of any N.C. member of Congress. Many of them functional, Watt's travels include a commencement address he gave at Fisk University, a speaking engagement at the NAACP national convention, and numerous events with the Congressional Black Caucus.

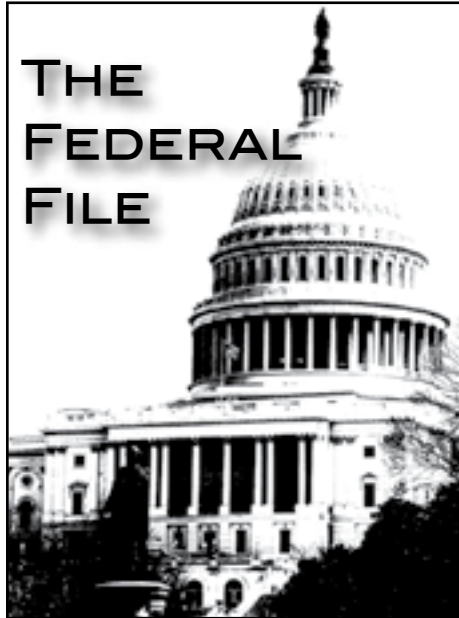
The Aspen Institute, a broad-spectrum policy organization in Washington, D.C. has funded several trips. Aspen's president, Walter Isaacson, says on the organization's Web site that Aspen's educational programs "offer a chance for restorative reflection on

the meaning of the good life, leadership, and sound public policy."

Aspen's conferences are often in exotic locales and frequently near resorts. In one seven-month period, Aspen conducted a conference on educational reform in Cancun; an environmental event in Lausanne, Switzerland; and a conference on Brazil staged at Grand Exuma Island. Watt attended all three.

Rep. Bob Etheridge, D-2nd, participated in another educational conference at Montego Bay, Jamaica, and an event to discuss the No Child Left Behind law, in San Juan, Puerto Rico.

The wide dispersal of locations,



and their expensive accommodations, reflect Aspen's international outlook, but they have made Aspen the largest private contributor for travel on Capitol Hill. The organization has invested \$5.2 million since 2000, outspending the second-largest contributor by two to one. Aspen also accounts for \$207,000 worth, or more than one-third, of the travel taken by North Carolina's delegation.

Half of that was spent on a single congressman, Rep. David Price, D-4th. Price has taken 11 trips on Aspen's tab, including a \$17,000 fact-finding trip to China in 2002 and a \$14,000 trek to London and Berlin last year. Other trips reported as "fact finding" took Price to Honolulu, Puerto Vallarta, and British Columbia. The cost of his Aspen-funded trips since 2001 totals nearly \$103,000.

His press secretary, Paul Cox, said that as a member of the House Appropriations subcommittee on Homeland Security, Price "is always interested in critical international relations and diplomatic ties throughout the world," and that "meeting with foreign leaders and learning what our government is doing in foreign countries" is critical to that role.

Price wants other congressmen to be "well-versed in the interests we have throughout the world," and finds the Aspen Institute's events on Capitol Hill and abroad useful, Cox said.

Aspen is not the only travel-sponsoring organization around the Capitol,

and Democrats are not the only guests. The Nuclear Energy Institute spent \$35,320 to send former Rep. Richard Burr, R-5th, on two weeklong trips to visit French and Spanish nuclear facilities while he was a member of the House Energy and Commerce Committee. Reps. Patrick McHenry, R-10th, Virginia Foxx, R-5th, and Robin Hayes, R-8th, have been guests of the American Israel Education Foundation. They each averaged \$11,453 to visit Tel Aviv.

One official who is not taking many trips is Sen. Elizabeth Dole. Her press secretary, Stuart Ramsey, said it was a matter of priorities. "During breaks in the Senate schedule," Ramsey said, "Sen. Dole prefers to be in North Carolina meeting with citizens, business leaders, and local officials and working directly with her constituency to address the most pressing issues facing our state."

Burr also, since his election to the Senate in 2004, has lightened his travel, reporting only a single \$327 trip to speak at a Lutheran pastors' conference last January.

Brian Darling of the Heritage Foundation said that senators have much less time than House members to travel. Darling, who is director of Senate relations for the conservative think tank, said, "We are reasonably broad in who we attempt to invite to these events, [but] it's hard with senators because their schedules are so booked. We find we have to ask quite a few, and get just a handful."

House members attend most of their events, he said, because their schedules are more flexible. Heritage has sponsored Reps. Sue Myrick, R-9th, Foxx, and McHenry for a total of 10 events since 2001, all but one of them in Baltimore and none of them more than \$900.

The new travel rules have not affected Heritage's activities because Heritage is not engaged in lobbying, Darling said. "We have not seen an uptick nor a downtick in our attendance" since the rules took effect, he said.

Cox said Price not only supported the new rules, he authored part of them. "The intent of the changes was to eliminate golf junkets and time with lobbyists," he said. "That's a far cry from an academic exchange program, like the Aspen trips. There's a very wide disparity."

Price has not taken part in recent Aspen events, Cox said, because his duties have "greatly increased." As chairman of the House Democracy Assistance Committee, Price has traveled to hot spots in the Middle East — at government expense, rather than private.

But Cox expressed Price's appreciation for The Aspen Institute's efforts. "He's always on the lookout if there's an Aspen program that will help him serve better in Congress," Cox said. CJ

### NC Delegation Watch

#### Delegation lauds gun ruling

N.C. congressional lawmakers were quick to praise a recent decision by the U.S. Supreme Court striking down a 32-year-old handgun ban in Washington, D.C.

"The right to bear arms is a basic, fundamental right in this country. I'm glad the Supreme Court made it clear that this right is guaranteed to every individual citizen by the Second Amendment," said U.S. Rep. Patrick McHenry, R-N.C.

"Shame on the four justices who blatantly disregarded the explicit text of our Constitution," he said.

The Supreme Court ruled, 5-4, June 26 that the district's weapons ban was unconstitutional. The court held that the Second Amendment guarantees an individual right to possess a firearm for such lawful purposes as self-defense.

Most N.C. members of Congress applauded the ruling, including Rep. Heath Shuler, D-11th.

"Law-abiding Americans have a right to own firearms, whether it is for the protection of themselves and their families, hunting, or collecting, or any other legal activity," he said.

Rep. Mel Watt, D-12th, also supported the ruling. "The opinion seems to confirm that, notwithstanding the fact that individuals have the right to bear arms, there are also limitations on that right," Watt told the *Charlotte Observer*.

Rep. Walter B. Jones, R-3rd, praised the ruling and said the district's ban was both unconstitutional and a policy failure. "The District of Columbia consistently has one of the highest murder rates in the nation," he said.

#### Reps: Vote on coal bill

A bill that would give government-sponsored loans to investors who try to turn coal into liquid forms of energy got a boost in July from five N.C. members of Congress.

The representatives joined more than 130 other lawmakers in signing a petition that aims to get the House leadership to bring the bill, called the Coal Liquid Fuel Act, to the floor for a vote. Sponsors need 218 signatures to force a vote on the measure, which has been in committee since May 2007.

"North Carolina families would benefit from projects like coal to liquid, wind energy, new domestic oil supplies or solar power — anything that can reduce our dependence on foreign sources of oil and bring down the cost of gas," said N.C. Rep. Virginia Foxx, R-5th, a supporter of the measure. CJ

# Morriss: 'Regulation By Litigation' Leaves Public Out of Process

Andrew Morriss, H. Ross and Helen Workman professor of law and professor of business at the University of Illinois, recently discussed the concept of "regulation by litigation" in a Raleigh speech. He also discussed the topic with Mitch Kokai for Carolina Journal Radio. (Go to <http://www.carolinajournal.com/cjradio/> to find a station near you or to learn about the weekly CJ Radio podcast.)

**Kokai:** First of all, what is this all about? "Regulation by Litigation"? What does that mean?

**Morriss:** Well, everybody knows what regulation is. Regulation is usually when the government issues a rule, or Congress passes a statute, or the state legislature passes a law that tells people what they have to do in the future. Regulation by litigation comes about when some entity — whether it is a government agency or private lawyers — uses a lawsuit to accomplish the same things. In other words, they get people to change their behavior in the future based on settling a lawsuit today.

**Kokai:** And I understand that part of this is the threat that if you don't settle this lawsuit there is going to be some catastrophic loss.

**Morriss:** Exactly. So the way to think about this is usually what happens is we threaten an industry with something so terrible that they agree to change their behavior in the future to settle the lawsuit. Now people might say, "Well, why do I care about that? Why not? If the industry is doing something bad, let's make them change their behavior." And the problem is that when Congress passes a statute or an agency issues a rule, we have means for the public to participate in that. Those means aren't perfect, and we get statutes we shouldn't have sometimes or rules that we shouldn't have. But there aren't any means for the public to participate in regulation that is done through litigation, and indeed agencies and state government officials and even private actors use litigation to escape the constraints that our state and federal Constitution put on governments to try to control the areas in which they regulate.

**Kokai:** Among those who are using this process are groups that have been called, I understand, "bootleggers and Baptists." And in your work, you add "televangelists." What is this all about?

**Morriss:** Well, my co-author, Bruce Yandle of Clemson University, came up with the "Bootleggers and Baptists" theory back in the '80s in *Regulation* magazine. And the "Bootleggers and Baptists" theory boils down to this: if you think about Sunday closing laws where liquor stores have to be closed on Sunday, the bootleggers are in favor of Sunday closing laws because it increases



University of Illinois professor Andrew Morriss discusses "regulation by litigation" during his Carolina Journal Radio interview. (CJ photo by Mitch Kokai)

their market. If you can't buy beer at the liquor store, you are more likely to buy it from the bootlegger. The Baptists are in favor of it because they don't like people selling liquor. So the bootleggers and Baptists get together, not explicitly but implicitly, and get the state legislature to pass the Sunday closing law. In regulation, what this means generally is that somebody with a financial interest who can't explicitly go out and argue for a law, say, that transfers wealth to them, will hook up with somebody who has a high moral purpose — pursuing the public interest — and get a law passed or a regulation issued or in our case a settlement of a lawsuit that does exactly that. So it looks to the outside world like it has a high moral purpose, but in fact it advances private interest.

**Kokai:** And in your work you have extended this beyond the initial concept from the '80s of bootleggers and Baptists to add another category. What is that category?

**Morriss:** Okay, we continue with the metaphor. We added "televangelists," and specifically we did it looking at the regulation of tobacco through litigation. And the televangelists in the analogy are ... Well, the bootleggers are the tobacco companies. The Baptists are the public health groups and public health regulators like the FDA. And then the televangelists are the state attorneys general and the private lawyers who worked with them to sue all the tobacco companies in the '90s.

**Kokai:** Why is this a bad idea?

**Morriss:** Well, the tobacco case is a good example of this. So in the tobacco case the state attorneys general sued the tobacco companies with the assistance of some private lawyers who had done

very well — largely in suing asbestos companies — and so had a lot of money and familiarity with lung disease. [They] sued on behalf of the states, arguing that tobacco has caused individuals to get sick, and those people have then gotten state benefits, and so the states had to pay money for this. You say, "Okay, well, tobacco clearly is a dangerous product. Why not? Why shouldn't the tobacco companies pay for the harm they did?" The problem is that the structure of the settlement they worked out with the tobacco companies was to essentially increase the price of tobacco in the future. It wasn't to pay a tort damage ... like you would pay if you ran somebody over with your car; you would have to write them a check. But it was essentially to pass a tax on cigarettes. Now we know how to pass taxes on cigarettes. We get the state legislature to pass a tax. In this case, the state legislature didn't pass a tax. But, in fact, there was a tax increase nonetheless. And that funded hundreds of millions of dollars being transferred to states, from smokers as well as to the plaintiffs' attorneys who brought the suits, and through them through campaign contributions to the state attorneys general.

**Kokai:** Some people may hear that and say, "Well, you know, I can see the result and don't have much of a problem with that. Maybe it's a good case of these means — sort of questionable — leading to good ends." One of the things that you point out in some articles on this topic is that the people who really get cut out of this process are members of the public: just normal taxpayers who are not getting to play a role when these bootleggers, Baptists, and televangelists are all doing their deals.

**Morriss:** That's right. So one of the

main problems is that what happens in the settlement of these lawsuits is that people agree to things that are done outside the regulatory process. So when the state of North Carolina issues a regulation, or if the federal government issues a regulation, there is a period for public comment. And the public can comment, and then if the state agency doesn't pay attention to those comments people can sue and say you didn't consider important information. That doesn't happen in settlements. In fact, what we found is that in a number of settlements people tried to make comments. One of the other examples we look at in the book is at the EPA's regulation of heavy-duty diesel engines. And EPA required the engine manufacturers to dramatically change their engines. Well, the people who make trucks tried to comment on it, and the judge ruled they didn't have any standing to comment on the thing. So they were kept out of the process. If the EPA had issued a rule, their views would have had to be taken into account. But because it was done through litigation they were shut out.

**Kokai:** Why would we be better off if this public process, flawed as it might be, is the one followed and not this regulation by litigation?

**Morriss:** Well, there are ... three things that are better off. Lawyers always think in threes. So I will come up with three. One is that there is some value to the public having an opportunity to participate. That is what makes government action legitimate. Now we may not like what government does sometimes, but at least if there is a public process then the public has had a chance to participate and it is a legitimate process. And if you don't like it you can throw the rascals out. So ... some actor is politically accountable. In this litigation, it is some lawyer, at an agency, you know, a lawyer from a company settling the case. And there is really nobody to vote out of office.

The second problem is that we find that the constitutional structures that we have to create accountability get short-circuited. So in the tobacco case state attorneys general who do not have the authority to raise taxes ended up raising taxes. That is not their job. And then the third problem is that, particularly in the tobacco case, we ended up funding a group of very wealthy plaintiffs' lawyers who now have taken their money from the tobacco suits — which was sort of like hitting Fort Knox — and gone out in an entrepreneurial way and invested it in suing other people. So they are using that money to fund lawsuits against the fast food industry, against the gun industry, against all sorts of stuff, trying to extend their ability to influence public policy. They are unaccountable to anybody, and they are funded in perpetuity by the settlement from the tobacco cases. So that is, again, an anti-democratic step. CJ



# Teachers Rack Up Extra Personal Day Plus Raise

By JIM STEGALL  
Contributing Editor

RALEIGH

In addition to raising teachers' salaries by 3 percent, the General Assembly will pay teachers not to teach, at least for one more day than usual this coming school year.

A provision in the budget permits teachers to take a regular school day off with full pay, with the state and the local district picking up the tab for the teachers' substitutes. This comes only two years after a change in the school calendar law that, in effect, gave teachers five days off with pay, and is in addition to the minimum of 10 annual leave days each teacher automatically gets.

Until now teachers have earned two personal days each year that they could use almost any time and for any reason, but there was a catch: They were required to pay a fee of \$50 each time they used one. The so-called "substitute fee" provided school districts with a source of funds to offset partially the cost of hiring a substitute teacher.

Under the arrangement, even the lowest-paid teachers still made nearly \$100 for a day of not teaching. On the other hand, school districts lose money when teachers take personal days, because pay for even the lowest-paid substitutes costs more than \$50; most earn more than \$100 per day.

The change to the rules on personal days was included in the budget in response to a campaign by the North Carolina Association of Educators, the state's largest teachers union, which represents about 40,000 classroom teachers. Last year NCAE lobbyists tried to persuade legislators to allow teachers to take two personal days at full pay, without having to contribute toward the cost of substitutes. That effort failed when lawmakers realized the proposed legislation did not set aside any money to help districts cover the loss of fee income.

This year the union tried a different approach. NCAE lobbyists persuaded budget writers to include a provision allocating \$5 million to reimburse local school systems for the loss of the fee. Under the terms of that provision, each of the state's 100,000 teachers will be able to take one personal day at full salary this school year without having to pay the fee.

Teachers taking more than one personal day — two are earned each year, and teachers may accumulate up to five — will still have to pay \$50 for each of the subsequent personal days.

Or maybe they won't. Another change in the law this year eliminates the substitute fee for teachers taking personal days on certain teacher workdays. The sponsor of the measure, Rep. Tricia Cotham, D-Mecklenburg, told a House committee considering the bill that since students do not attend school on teacher workdays, substitutes are not needed, so teachers shouldn't have to pay for them.

Between the budget provision and Cotham's bill, a teacher may take both personal days he or she earns during the year, and any others he or she may have

accumulated in prior years, at full salary, without paying anything, as long as only one of them is taken on a regular school day, and the others are taken on teacher workdays.

Rules governing teachers' time off are complex and often poorly under-

stood, even by teachers. In addition to personal days, teachers also earn sick leave, bereavement leave, and annual leave. However, annual leave days may not be taken on days when students are present, so school districts include 10 days in their yearly calendars, which are usually lumped around holidays when schools are closed, to allow teachers to use these annual leave days. There are also restrictions on when sick leave may be used; however, anecdotal evidence revealed in last year's hearings on personal leave suggests that enforcement of the rules varies widely from district to district.

Leanne Winner of the School Boards Association said she thinks the leave system has become needlessly complicated and unwieldy. Her organization wants the legislature to quit tinkering with it and overhaul it permanently.

"Over the last few years we have seen a number of pieces of legislation introduced that would modify or add additional leave," she said. "As a state that already has more categories of leave for teachers than most states, we believe it is time for the General Assembly to have a comprehensive study of all leave policies instead of this piecemeal approach." CJ

**Budget provision allows teachers to take personal day off without having to pay for substitute teacher**

## COMMENTARY

### A Cacophony Of Coaches

Have you noticed that North Carolina's public schools have more coaches now than ever before? I am not talking about football or debate coaches. Rather, state education leaders have begun to use the term "coach" instead of the word "consultant," because the latter evokes bad vibes among teachers and school administrators. Regardless of what you call them, these coaches are simply run-of-the-mill bureaucrats dispatched from high command to do the state's bidding.

As we would expect, North Carolina's education establishment has taken the coaching fad to the next, rather absurd, level. North Carolina's public school system boasts at least a dozen different kinds of coaches, and most do not conduct any classroom instruction. According to a recent *Journal of Staff Development* article, the coaches "work alongside teachers to ensure instruction is targeted to meet students' needs, is aligned with the district curriculum, and helps produce the desired student learning outcomes." In other words, coaches attempt to do the job that teachers and administrators should have been doing in the first place.

Over the past two years, the state has spent millions to create "21st Century Literacy Coach" positions. Literacy coaches attempt to do what teacher education schools did not or would not do — they teach teachers how to teach reading. One may wonder, as I do, how an elementary or middle-school teacher could graduate with a degree in education and teach in our schools without knowing how properly to teach children to read.

Low-performing schools and school districts can expect a visit by one or more leadership, transformation, or instructional coach. Department of Public Instruction officials say a leadership coach "coordinates coaching and service delivery for 3-4 high needs districts and service delivery for a transformation school." District transformation and school transformation coaches do the same incomprehensible activities at their respective levels. On the other hand, instructional coaches work with low-performing schools

but offer "on-site support to help guide school leadership in developing school improvement plans."

Data coaches are individuals that would "help school systems to use test data to improve student performance." Using test data to improve student performance is a good idea, but teachers, administrators, and guidance counselors should be doing this already. The State Board of Education requested \$2.3 million for data coaches, but, fortunately, the state legislature will not fund data coach positions in this year's budget.

In late April, a legislative commission on dropout prevention recommended spending millions of taxpayer dollars on graduation coaches. A graduation coach would simply do the job that we expect teachers and guidance counselors to do — talk to parents about their child's progress and make sure that students under their care take the right courses. The idea has strong support among state education leaders, but

currently, there is little legislative support for graduation coaches.

Finally, there are a number of other kinds of coaches, many who serve state and federal programs. These include reading coaches (Reading First), life coaches (state dropout prevention grant), school change coaches (Learn and Earn/Early College high schools), Positive Behavior Support coaches, and National Board Certification coaches. There are even coaches that teach the coaches how to coach!

According to state data, the number of consultants at the school district level alone has doubled over the last 10 years and approaches 1,300 statewide. The growing number of consultants and coaches is a symptom of an education establishment that has not come to terms with North Carolina's dysfunctional public schools and dreadful schools of education. Indeed, coaches are simply another way that the state's education establishment feigns innovation and reinforces the status quo. CJ

*Terry Stoops is an education policy analyst at the John Locke Foundation.*



**TERRY STOOPS**

## School Reform Notes

### 35 schools left behind

At least 35 Triangle public schools will face federal punishment for not meeting tougher No Child Left Behind testing requirements, *The News & Observer* of Raleigh reports.

Based on preliminary results released July 21, more than half of Triangle schools didn't have enough students passing state exams this past school year. At schools receiving federal Title I funding to help low-income students, consequences include letting students transfer out and providing paid tutoring services to children.

"It's draconian to hold back a school because one subgroup didn't make it," said David Holdzkom, the Wake school system's assistant superintendent for evaluation and research.

A record 14 Wake elementary schools will face sanctions. At least 14 schools in Durham, four in Johnston County, and three in Chapel Hill-Carrboro also face corrective measures.

The numbers could rise in the Triangle depending on state reading results for elementary and middle schools that will be released in November. The test results released July 21 covered math scores in elementary and middle schools and both reading and math scores in high schools.

### Students get e-mail access

All students in Guilford County schools will receive e-mail addresses this school year, a move educators say will create more tech-savvy students but that has some parents asking questions, the *News & Record* of Greensboro reports.

The initiative is aimed at providing an efficient means of communication for older students and a way to teach younger students about e-mail and the Internet.

Mark Jewell, president of the Guilford County Association of Educators, said he likes the plan, which he said to his knowledge is the first of its kind in the state.

David Graves, who teaches at Dudley High School, said it's essential that today's students be comfortable with technology, and having the accounts also makes it easier for students and teachers to communicate.

Graves, who teaches computer classes, said he already encourages students to set up e-mail accounts, which he uses to send grades and homework assignments and to let them know what they missed when they are absent. *CJ*

Administered by NC DPI

# Program Excludes Nonpublic Students

By JOHN CALVIN YOUNG  
Contributing Editor

RALEIGH

The N.C. Department of Public Instruction received \$229,180 this year under a federal grant program to subsidize test fees for low-income students, including those in nonpublic schools. But the DPI-administered program does not include private or homeschool students among the 3,000 students expected to receive aid.

The program is meant to encourage students to take Advanced Placement tests and obtain college credit for high school courses, reducing the time and cost required to complete a postsecondary degree.

The Advanced Placement Testing Program provides assistance for high school students concerned with college costs, or with simply getting into college. For \$84 a test (\$76 for the test and processing charges, and an \$8 administrative fee to the testing center), high school students who pass an AP exam in a given subject can usually get college credit for the class, as well as regular high school credit.

The AP Program does more than just allow high school students to accumulate college credit, however. College admissions officials typically look at AP exam scores to judge the quality of a high school's college preparatory program, and to assess the individual student's ability to handle college-level material.

As a result, an increasing number of students take AP exams. For those targeting the more competitive schools, AP exams have become a virtual necessity. At UNC-Chapel Hill, 80 percent of the freshman class submit AP exam scores, and 50 percent has completed five or more AP courses. Sixty percent of N.C. State University's freshman class submits AP exam scores.

Because of the increasing importance of AP exams to college-bound students, the College Board, the organization that prepares and administers the SAT and AP exams, has a program of fee reductions for low-income students. If a family fits one of the "low-income" definitions (income under 150 percent of the poverty level, for example), the College Board waives \$22 of its fee and requests the testing center to forgo its \$8 administrative fee, reducing the cost of the exam to \$54.

The U.S. Department of Education decided that reduction of the costs was insufficient. It created a program in 2005 to cover the remaining \$54 of the AP exam costs for low-income students. For fiscal 2007, \$12 million was budgeted for the program, of which \$9.23 million was awarded to the states.

According to Mary Daley, coordinator of the fee-reduction program in New York, the program "has made a big difference in New York, particularly in our urban and rural areas...our Appalachian counties, and our five big cities."

As part of the application, the state educational authority must present its plan for the use of the funds, including the categories of students eligible for the grant. Out of the 45

states that run an AP Test Fee program, 31 of them specifically cover both public and private students, and several more do not discriminate between the different types of institutions. Texas will cover \$30 per exam for all high school students, and an additional \$18 for those who qualify for the College Board fee reduction, bringing the cost to a low-income student to \$6. Utah specifically includes private school and charter students in its program.

"In New York, for all federal monies, we cover both public and non-public students. It is a policy of ours," Daley said. Additionally, as the federal funds are distributed under a "supplement, not supplant" requirement, nonfederal funds allotted before the federal grant was received can be only added to, not replaced. In some states, this translates to

an extension of the program beyond the federal standard, covering a single AP exam for all students of whatever income level, or covering all AP exams for some students that do not meet the College Board criteria.

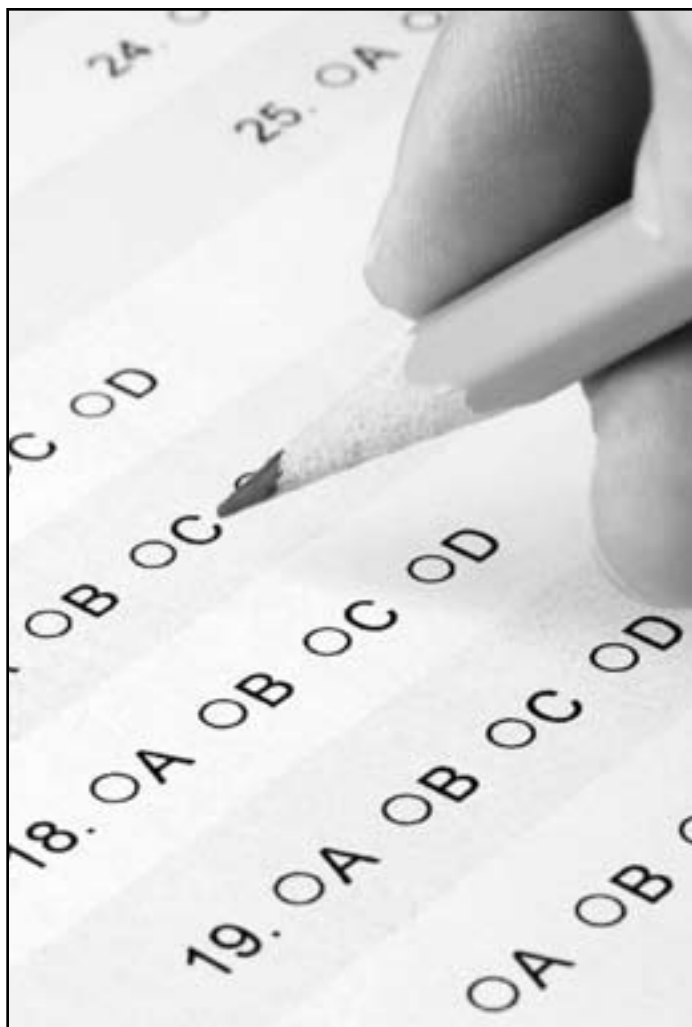
In North Carolina, though, the availability of the fee reduction for low-income students is more limited. As administered by DPI, the grant applies only to public school students. Private, parochial, and homeschool students are on their own when it comes to AP exam fees. The College Board fee reduction is open to all, but the federal funds are unavailable to N.C. students not enrolled in the public schools, despite the fact that many nonpublic students are taking, and paying for, their AP exams at local public high schools.

Wandra Polk, director of K-12 Curriculum at DPI, said the distribution is a simple matter of jurisdiction. "We do not administer grants for nonpublic education," she said. N.C. high school guidance counselors are administering other fee waiver

and grant programs for nonpublic students, however. The College Board offers two free administrations of the SAT for low-income students upon verification of their paperwork by the local school guidance counselor. DPI administers another federal program of grants to provide speech therapy and other services for special-needs students, public and private alike.

Many nonpublic students actually take their examinations at a local public high school. Most states have the guidance counselor determine eligibility for low-income students and mark the number of exams taken under the College Board fee waiver, and College Board bills the state directly, which then disburses the required funds from the federal award. N.C. guidance counselors are already handling the College Board fee waiver requests of nonpublic students and are collecting their fees for the exams.

When asked whether it would involve any more paperwork for him if nonpublic students were included in the fee waiver program, Ron Speier, guidance counselor and AP coordinator at Smithfield-Selma High School, said it would not. *CJ*



# Definitions Stall School Bullying Bill in General Assembly

By MICHAEL LOWREY  
Associate Editor

RALEIGH  
The General Assembly failed to pass a bill on school bullying in the summer session, with the Senate unwilling to adopt a definition of bullying built upon a long list of characteristics including "masculinity," "femininity," and "sexual orientation."

While bullying is not new behavior, interest in it has increased dramatically in the past few years in part in response to a number of shootings at high schools across the country in which the assailant had previously been bullied or threatened. The most notorious of the incidents was at Columbine High School in Colorado in 1999 when two students killed 12 of their classmates and a teacher before the gunmen committed suicide.

In a presentation to the Bullying Prevention Institute in Hershey, Pa. in October, Susan P. Limber and Marlene Snyder of the Olweus Bullying Prevention Program at Clemson University, outlined the increased interest in bullying in academia, the news media, and public policy circles.

Lexus/Nexus citations of bullying never reached 300 for any year from 1996 to 2000. From 2001 through 2005, though, there were more than 500 citations per

year for bullying.

An even more noticeable uptick in interest exists in academic circles. Limber and Snyder noted that the PsycInfo database of psychological literature from the 1800s to the present contains very little work on bullying in the early 1990s. By 1998 academic interest had grown somewhat, with about 50 articles on the subject published during the year. More than 100 articles were published on bullying during 2002. From 2004 through 2006, at least 150 academic articles on the topic were published each year.

State laws on bullying have also grown dramatically, from no states having such a provision in 1999, to 10 states in 2001, 25 states in 2006, and 34 states as of last year. But that doesn't mean that all these various state provisions are identical. The U.S. Department of Health and Human Services' Health Resources and Service Administration's pamphlet on state laws relating to bullying highlights

the different definitions, approaches, and requirements that different states have taken.

Exactly how North Carolina should define bullying is at the core of the debate over House Bill 1366, which would have required each school district to adopt a policy prohibiting bullying and harassment.

In the version of the bill passed by the House last year, this was included:

"Bullying or harassing behavior includes, but is not limited to, acts reasonably perceived as being motivated by any actual or

perceived characteristic, such as race, color, religion, ancestry, national origin, gender, gender identity or expression, physical appearance, sexual orientation, or mental, physical, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics."

The Senate refused to go along with the long list of characteristics, opting instead for a simpler definition of bullying as that which:

"Creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits."

A conference committee largely adopted the House language, replacing "gender identity or expression" with "masculinity, femininity" while also adding "socioeconomic status" and "academic status" to the list of characteristics.

The slight revision in language was not enough to get the Senate to go along. Though being placed on the Senate calendar, the conference report never came up for a vote before the Assembly adjourned for the year.

"I do not support any language in the bill that attempts to provide additional protection for gender identity or expression, or sexual orientation," said Senate Minority Leader Phil Berger, R-Rockingham.

Berger noted that many North Carolinians might find the law inappropriate, as it not only expressly approved of these groups but deemed them to be worthy of special protection.

"There's a certain irony in the idea that members of the General Assembly will endorse legislation that provides special protection for sexual orientation, and yet they refuse to move forward on a bill to protect traditional marriage," Berger said at a press conference before House Bill 1366's defeat was clear.

"My belief is that any bill to address 'bullying' should apply equally to protect all students," he said.

Attempts to get the Senate to approve a definition of bullying that included characteristics were also undercut by comments made by Howard Lee, chairman of the State Board of Education, to the *The News & Observer* of Raleigh. "Bullying is bullying," Lee said to the newspaper. "I don't care who it's against and under what circumstances."

The State Board of Education went through a similar debate four years ago, with staff suggesting a bullying policy that referenced sexual orientation, political beliefs, age, and socioeconomic status among others as possible reasons for bullying. The board ultimately adopted a policy without mentioning characteristics. CJ

**The Senate wanted  
a much simpler  
definition than  
the House bill  
offered**

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The North Carolina History Project is a project of the John Locke Foundation

## Campus Briefs

This time of year, rising college freshmen are choosing classes and preparing to leave parents behind to enter the collegiate world. They might be getting their first tastes of the campus culture via summer reading selections. Making the right decisions this summer can help them in the years to come.

The Pope Center has come up with a way to make that process easier. Just like college freshmen and their parents, we are troubled by the rising costs of college, by too many lightweight courses, by the ideological bias of professors, and by the lack of moral and ethical standards on many campuses.

The Pope Center's newest Web page (start at [www.popecenter.org](http://www.popecenter.org) and look for "students") provides students with information, advice, and personal accounts of college life. From those reminiscences, here are some central themes:

- Don't borrow more money than you need. Student loans seem like a good deal, but there are other options. Consider working part time, getting scholarships, taking less-expensive summer school courses, or doing a work-study program.

- Once you get to college, participate. There are nearly endless opportunities on campus to get involved; clubs, sports, study groups, and volunteer organizations can enhance your experience.

- Choose your path wisely. Balancing the right courses, extra-curricular activities, work, and educational opportunities is difficult. College might be the only time you have a chance to intern with a non-profit group or spend six months in a foreign country. Plan accordingly, so you can balance your education and experiences.

- Seek out good professors. Many professors use the classroom for indoctrination. Research your professors ahead of time, find old syllabi, and ask your classmates for advice. Excellent professors can make the difference between drudgery and enlightenment.

- Think twice about law school or grad school. If you are thinking about applying, make sure you are doing so for the right reasons.

This advice, and more in subsequent weeks and months, will help you make the most of your college years. CJ

Campus Briefs are compiled by Jenna Ashley Robinson, campus outreach coordinator for the John W. Pope Center for Higher Education Policy.

## Franklin Symposium

## Panel's Focus: Lack of Black Males on Campus

By JANE S. SHAW  
Contributing Editor

African-American males are few and far between on college campuses. Among those who do arrive, not many are graduating. That problem was the underlying theme of the John Hope Franklin Symposium conducted at Duke University in late June. Sponsored by the magazine *Diverse Issues in Higher Education*, the symposium is conducted annually in honor of Franklin, historian and professor emeritus at Duke.

Unfortunately, only cautious and piecemeal solutions were offered to the problem of missing African-American males. Panelists scarcely addressed the two major impediments to better education for these young men — weaknesses in family relationships and weaknesses in public education.

This was surprising because one of the individuals honored at the symposium was Harvard psychiatrist Alvin F. Poussaint. His book *Come On People*, written with comedian Bill Cosby, is a call for African-Americans to take greater personal responsibility for their lives and their children's education.

Although speakers repeatedly urged rescuing boys before they derail from the education track, little was said about the education track itself or why K-12 institutions are ineffective.

## 'The Vanishing Male'

Much was said about the problem, however. In his presentation "The Vanishing Male," Andrew C. Jones, vice chancellor of the Dallas County (Texas) Community College District, reported not only that black males are under-represented in college, but that their graduation rates from high school are abysmally low — 41 percent, according to figures in *USA Today*.

Norman C. Francis, longtime president of Xavier University of Louisiana and an honoree of the symposium, said black males have been "expelled and shuttled from an early age" and "left to struggle on their own." Panelists agreed that for youngsters who have the potential to achieve college, intervention by middle school is needed. One method would be to insist that boys learn math and science. If a student doesn't take algebra by the ninth grade, the student is unlikely to enter college, Poussaint said.

Throughout the country, however, math and science are often poorly taught. Education schools do not teach their graduates to teach math and science, said Francis. "All students are being short-changed," Poussaint said.

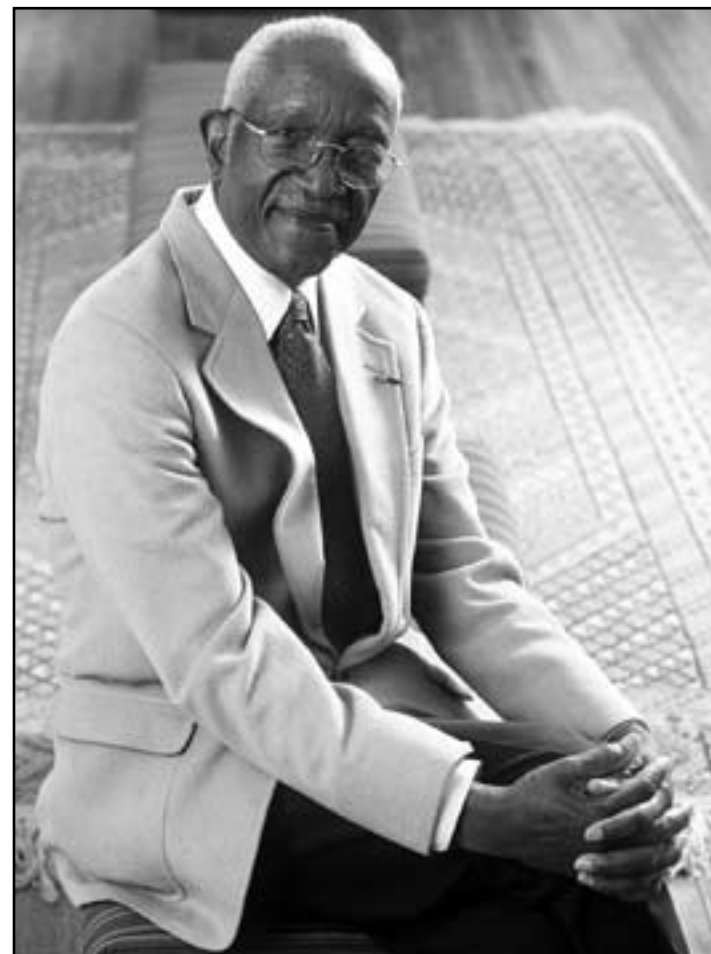
So what is being done, given the low numbers of African-American males in colleges? This is where the surprises came in: not as much as one would expect.

A few panelists described programs designed to correct the imbalance. The African American Male Initiative at the University System of Georgia attempts to increase the number of African-American males in Georgia's university system and has had success in increasing enrollment and retention over the past few years. It is too soon to assess graduation rates, however.

The Student African American Brotherhood is a nationwide, on-campus organization that aims to support minority students by developing leadership and encouraging positive self-image.

There's even a Hip-Hop Initiative at North Carolina Central University. Although it includes scholarly study of this kind of music, which has been around for more than 30 years, long enough to have its own interesting history, the program also uses hip-hop to reach out to "at-risk" males.

But little at this meeting was said about how to correct the problem on a systemic level. The failures of the public education system in the United States seemed obvious from many remarks, such as "teachers want the easy route"; teach-



John Hope Franklin, Duke University historian and professor emeritus, in whose honor the annual symposium is named. (Duke University photo)

ers "are not taught how to teach math and science." Yet no one proposed changes at either the K-12 level or education schools, which produce most public-school teachers.

A member of the audience asked whether vouchers and charter schools have a place in addressing these problems. Only one of four people on the podium responded. Speaking about New Orleans after Hurricane Katrina, Francis praised charter schools for filling the vacuum left by public schools. He emphasized that public schools were "dysfunctional" even before Katrina. A total of 102 schools had been taken over by Louisiana.

## No support for vouchers

Yet almost in the same breath, Francis defended public schools against vouchers, saying that they might serve as a complement to a public school system, but "if a voucher system starts to erode the public school system, it's bad."

A member of the audience asked Poussaint to share the message of his 2007 book, *Come On People*. Poussaint answered the question by saying that throughout black history there was always a struggle "against the odds" but "we've lost some of that struggling against the odds." People need to be better parents and avoid a "totally victim attitude."

Certainly an apt comment, yet it was muted, perhaps because *Come On People*, along with its co-author Bill Cosby, has evoked controversy for its explicitness about problems among poor blacks.

Poussaint's comment came at the end of a session that could have been a ringing endorsement of change on the personal level. But there was no such ringing endorsement, just as there had been no exploration of how to improve public education. Indeed, the entire symposium seemed a little too quiet. No one there, it seemed, was outraged enough to explore change very deeply. CJ

Jane S. Shaw is president of the John W. Pope Center for Higher Education Policy.

# Pope Center Proposes Move to Transparency

By CJ STAFF

RALEIGH

University administrators could go a long way to improve transparency and accountability in higher education, according to a new paper from the Pope Center for Higher Education Policy. All it would take is one simple policy change, the report says.

The center's new report recommends that faculty be required to post their course syllabi, detailed descriptions that go beyond the sketchy catalog summaries, on the Internet.

A syllabus, from a Latin word for slips of paper with the titles of written works, usually provides a class schedule, including test dates, and outlines the course material either chronologically or in another meaningful way. It also includes reading material and other pertinent information.

In "Opening Up the Classroom: Greater Transparency Through Better, More Accessible Course Descriptions," Pope Center senior writer Jay Schalin argues that this posting should occur when registration opens for the next term's classes, typically two to five months before the term begins, and that it should be available to the public.

This would aid students as they register for courses, help university administrators decide whether to transfer credits, aid in research, and help professors compare classes from one university to another, Schalin writes.

For the public, it would expose faculty members who are presenting their own ideological agendas in class.

"We believe that students need to know more about the content of courses before they sign up, and the public needs

to know the kind of information that is being imparted," Schalin said.

On University of North Carolina campuses, syllabi don't have to be available for students until the first day of class. Thus, many students must register for courses based on skimpy catalog descriptions, which can mask vast differences in the same course taught by different instructors.

He gave as an example an introductory geography course at UNC-Chapel Hill called "Geographical Issues in the Developing World." The short and bland catalogue description does not convey the hostility to free markets and international trade, and even the United States, the professor uses in teaching the class, Schalin writes.

An obstacle to mandatory posting of syllabi, the paper suggests, is that it is inconvenient for faculty members, who often don't complete their syllabi until class is about to start. This might not be their fault, because sometimes faculty members aren't assigned to teach a particular course until after registration.

Students at N.C. State told Schalin that they often sign up for more courses than they intend to take and drop one after school starts when they have a better idea of the content.

To address this problem, Schalin suggests syllabi from previous years be posted, or syllabi could be "works in progress."

Bolstering his case, Schalin reported that some schools do provide more detailed information. Duke has an "Online Course Synopsis Handbook" with more extensive descriptions. Although posting isn't mandatory, about 80 percent of faculty members participate. *CJ*

## COMMENTARY

# Brady Won't Rock UNC-G Ideological Boat

Linda P. Brady, who will be the next chancellor of UNC-Greensboro, seems to be the safe protector of the status quo — an academic insider unlikely to take any stand against her peers.

At the time of his appointment in January 2006, it looked as though UNC President Erskine Bowles, whose background is in business rather than academia, would seek candidates who also have experience outside the narrow confines of mainstream academia and government service. But so far he has not.

Of the eight chancellors appointed during the 2 1/2 years that Bowles has been president, seven have been drawn from the ranks of academic administrators. John Mauceri, an orchestra conductor hired to run the School of the Arts, is the other.

Certainly, Brady has no shortage of qualifications: Her resume is filled with a multitude of accomplishments and accolades. She is the author of three books and numerous scholarly articles. She served under both former presidents Jimmy Carter and Ronald Reagan in the departments of Defense and State from 1978-1985, participated in arms control negotiations with the Soviets, and taught at West Point Military Academy during the 1991-92 school year. In 1984, she wrote an article with Assistant Secretary for Defense Lawrence Korb that was highly favorable toward Reagan's Cold War defense strategy.

Her more recent outlook appears to be more influenced by Carter than by Reagan, however. In fact, after leaving government service, she worked directly with the former Democratic president at the Carter Center of Emory University.

Perhaps even more telling about her political beliefs is her answer to a question concerning ideological bias at the University of Oregon at her press conference June 12. She said she had "not sensed a particular ideological orientation on the part of our faculty or staff."

Yet there are strong indications that an ideological imbalance does exist at the University of Oregon. According to The Huffington

Post's political donation tracker (as of June 14) in the last two presidential elections, 69 employees of the University of Oregon gave donations to Democratic candidates, and only four gave to Republicans.

The University of Oregon is not just a Democratic stronghold; rather, it is a bastion of radical left-wing politics. Perhaps the leading theorist joining environmentalism with Marxism, John Bellamy Foster, is a tenured professor there. Leaders of organizations that use violence to achieve their goals, such as Michael Christian of Earth First!

and Paul Young of the Animal Liberation Front, are regularly invited to speak or hold workshops on campus. The school's chapter of MEChA, a Hispanic organization that advocates restoring much of the United States to Mexico, calls the United States an "Anglo-American melting pot of materialism, greed, and intolerance," and once proudly featured a picture of Fidel Castro on the group's Web site.

In an extended curriculum vitae provided by the UNC system, Brady proudly claims credit for implementing the University of Oregon's "strategic diversity action plan." The plan, peppered with phrases such as "Bias Response Team" and "cultural competency," extends "diversity" considerations deeply into many areas of campus life, including orientation for new students, academic advising, tutoring programs, admissions and recruitment, campus residential programs, and staff development.

Dr. Brady is an accomplished woman, but she does not appear to be the type of leader who will swim against the tide of mainstream academia to restore the diversity of ideas absent on many campuses. The only way to do that, given the current climate in academia, is deliberately to bring in a few strong individuals from outside the academic mainstream. People with backgrounds more like Bowles himself. *CJ*



JAY SCHALIN

## Why Don't Colleges Post Syllabi?

They should, says a Pope Center study.

"Opening Up the Classroom: Greater Transparency through Better, More Accessible Course Information," by Jay Schalin

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Jay Schalin is a senior writer with the John W. Pope Center for Higher Education Policy.

## COMMENTARY

## First Ladies Cost What First Ladies Cost

*Note: This column is satirical. Any resemblance between events and people contained herein and actual events and people is purely intentional.*

**A**t a recent press conference, Gov. Mike Easley said that in a better world, gubernatorial spouses' sinecures at major public universities wouldn't be so expensive, but the fact of the matter is, jaw-dropping salaries and annual raises for doing slightly more than diddly-squat are necessary if the state is going to be able to afford to keep sending state officials on high-dollar junkets to posh European resorts ostensibly to bring new tourist dollars and jobs to the state.

Easley was defending the nearly \$80,000 raise First Lady Mary Easley was given at her job at North Carolina State University as executive-in-residence in the Office of the Provost, where her duties include getting speakers for the university's Millennium Seminar, teaching one course (and possibly a second), giving the university the chance to say that it employs the First Lady of North Carolina (with all the institutional chest-thumping that entails), and thumb-twiddling with executive aplomb. With her raise, Mrs. Easley's salary at N.C. State went from \$90,300 per year to \$170,000 per year, easily surpassing her husband's gubernatorial salary of \$135,854.

N.C. State Provost Larry Nielsen had issued a statement defending the Easley raise on the grounds that the First Lady's contribution really is worth more than twice that of the average faculty member (whose average annual salary was \$84,570 in 2007-08). "Granted, her worth is just comparable to the average biomedical or nuclear engineering professor," Nielsen said, "but there's no question she trumps the entire Interdisciplinary Studies Department, and it's not even close."

Nevertheless, Nielsen did acknowledge that since the UNC Board of Governors differed with N.C. State over whether fixed-term appointments such as Easley's require Board of Governors approval, the university was instituting a

task force to review all fixed-term contracts signed between 2002 and 2008.

For his part, the governor was not worried about his wife's salary, despite it seeming so laughably out of scope. "Things cost what they cost," Easley said. "I wish they didn't cost that much, but let's be honest about it. Just as a cheeseburger and onion rings is \$60 over there, a nominal position for a state First Lady is \$170,000 over here."

Reporters asked Easley how the cost of employing the First Lady could have jumped so high in just one year.



**JON SANDERS**

"I don't hire university functionaries. I really don't," Easley said. "I don't make up the job requirements. I don't sign the contract. I just say, 'Have fun at work, sweetheart; see you in an hour,' and that's that."

Easley pointed out that next year, without his salary, things would be much tighter for the Easley family — and our economy — were it not for his wife's work at N.C. State. Once the State of North Carolina stopped paying him to avoid the press and not make public appearances, he noted, the Easley family faced the loss of 1,132 cheeseburger-and-onion-ring combo meals together at Chez Daun-Heaum in Paris. The First Lady's raise preserves 664 of those meals, sans tip.

Easley pointed out that those meals offer the opportunity to impress Parisians, with each one being of critical importance to the future economic well-being of the state.

"N.C. State's Office of the Provost has economic data that prove that Parisians typically wait to set their international vacation plans until they see which governor from a southern U.S. state is going to bring his entourage to their city to consume country-fair cuisine from Europe's finest kitchens," Easley said. "I wish that wasn't how the game was played, but let's be honest about it. This is for the good of the state." CJ

*Jon Sanders is a policy analyst and research editor at the John Locke Foundation.*

## Lawmakers Lavish Money On State's Universities

By JAY SCHALIN  
Contributing Editor

RALEIGH

**W**hat is the difference between the General Assembly and a drunken sailor on shore leave?

The sailor spends his *own* money like there is no tomorrow!

This year's university system operating budget is meant to adjust the budget that was proposed for the upcoming 2008-09 school year during last year's legislative session. The proposed budget was for \$2.66 billion, while the new budget calls for \$2.68 billion, a seemingly modest 1 percent increase. Yet the 1 percent does not tell the entire story.

The actual increase in spending by the university system will be far more than \$27 million.

### NEWS ANALYSIS

The increase in operations spending does not even include a staggering \$1.26 billion in eventual spending for new university system capital projects.

The university budget previously approved for 2008-09 was \$30 million higher than the \$2.63 billion operating budget for the 2007-08 school year. This means that operating expenses will actually increase by about \$57 million, or 2.2 percent, from the year before.

The new budget also shows a \$50 million reduction that is more book-keeping than fact — a shift of funding for the EARN scholarship program from the state's General Fund to the Escheats Fund.

EARN scholarships are designed for students from families that earn 200 percent or less of the federal poverty level. The state will still spend \$50 million on the scholarships at state colleges, using state funds. So the increase over the 2007-08 budget is really \$107 million, or 4.1 percent.

As a matter of procedure, a 3 percent increase in faculty and administrative salaries (and 2.75 percent for other employees) for the upcoming year was not included in the operating expenditures total for 2008-09. Yet salaries make up about 70 percent of operating expenses for the university system, and this year's raise will add another \$73 million, or 2.8 percent. Therefore, a more accurate appraisal of the budget

indicates an approximate increase of 6.9 percent above the previous year.

To be fair, \$34.6 million of the increase was required to pay for an unanticipated enrollment increase. The university system under Erskine Bowles is taking measures to limit enrollment increases by erecting higher admissions standards. Still, subtracting this amount suggests a healthy 5.6 percent increase in operations spending.

The university system also benefited from the legislature's aggressive funding of capital projects. The legislature appropriated \$99 million from the General Fund for university capital projects and instructed the state to borrow another \$524 million through bond issues.

This budget will commit the state to 17 new UNC capital projects. They will start this year and eventually cost the state \$1.24 billion.

The largest new capital projects are the first phase of UNC-Chapel Hill's Carolina North project, which costs \$329 million; a new \$279 million engineering complex planned for N.C. State; and a \$120 million science building in the works for UNC-Charlotte.

Returning to the operating side reveals the Bowles administration's focus on research, with at least eight items directly related to research. These include \$6 million in funds for activities conducted at N.C. Research Campus at Kannapolis, \$1.5 million for a joint nanoengineering facility at N.C. A&T and UNC-Greensboro, and \$1 million for a Research Competitiveness Fund to promote economic development.

It is true that this year's increase in the university's operating budget is smaller than last year's whopping 7 percent rise. But 5.6 percent is still considerable — more than the growth suggested by the current bleak economic outlook.

This would have been a very good year to look for cuts instead of expansion. The aggressive approach to capital projects is perhaps more worrisome, since it delays payment until the future.

Of course, none of that matters if you're not concerned with tomorrow, or if you don't equate prosperity with a low-tax atmosphere. At least drunken sailors can blame the alcohol. CJ

*Jay Schalin is a senior writer with the John W. Pope Center for Higher Education Policy.*

**Seemingly modest  
1 percent budget  
increase for  
higher education  
misleading**

## Opinion

## Wake Forest's Decision on SATs Presages Class Warfare

Wake Forest University's recent decision no longer to require applicants for admission to submit SAT scores is part of a growing national trend. This policy change is not about shifting to "more reliable predictors of success," as administrators claim. It is instead about a fundamental change in world views, and about class warfare as well.

Those who believe that society should be a meritocracy, where achievement is the main criterion for reward, should be concerned about the tradeoff implied by the policy change. Wake Forest Provost Jill Tiefenthaler lauded

the new policy for removing "that barrier" (of low SAT scores) "for many worthy students." But it will also erect new barriers of class or race for many others who are at least as worthy.

Most of those denied admission because of the tests' elimination will have high SAT scores and other accomplishments that indicate they are more likely to thrive at a highly competitive university such as Wake Forest than those newly granted access. However, because they are mostly white or Asian applicants from high-income families, their greater fitness for such universities will be trumped by their undesirable group status.

This is not a problem for many in academia who are predisposed to favor "equal outcomes" as the standard for

organizing society and the educational system.

A key figure behind the new policy is Wake Forest sociology professor Joseph Soares and his 2007 book, *The Power of Privilege*. In the press release announcing the policy change, Tiefenthaler said, "Dr. Soares presents a compelling argument that reliance on the SAT and other standardized tests for admission is a major barrier to access for many students."

However, Soares' argument is less compelling when subjected to critical examination. The suggestion that standardized tests are poor predictors of academic success is not true.

Soares actually does not recommend dropping standardized tests altogether as Tiefenthaler said he does, but argues instead that tests intended to measure aptitude should be dropped in favor of tests that measure what is learned in high school. His book relies heavily on a 2001 study of the University of California system by Saul Geiser and Roger Studley. Soares wrote, "[T]he easy and socially biased option of relying on aptitude tests has been discredited by the University of California."

However, that study does not discredit SAT tests as poor predictors of college grades; it merely states that SAT II tests, which measure achievement, are better predictors of college grade point averages than the SAT I tests, which are intended to measure raw aptitude.

In fact, the preponderance of evidence indicates that SAT I tests do a credible job of predicting how well a



high school student will do at a particular institution. Robert Sternberg, a psychology professor and dean at Tufts University, said in a 2001 book that "a wide variety of studies have shown the usefulness of

the SAT(I) as a predictor of college success." He noted that a "meta-analysis" of about 3,000 studies confirmed its role in predicting the first-year GPA.

Soares' biggest objection to the SAT I tests is the correlation between SAT scores and family income: Youths from prosperous families tend to score very well on standardized tests, while those at lower income levels generally lag behind. He borrows heavily from French sociologist Pierre Bourdieu's theory of "dominant class perpetuation." He even portrays the SAT I as part of some devious plot to maintain the upper classes in their position of advantage. "The SAT proved not to be very useful until it provided a meritocratic way to fill the applicant pool with privileged youths," he said.

Yet no such dominant class exists in America. In a meritocracy such as the United States that rewards intelligence, smart people gravitate to the best schools and best-paying professional and corporate jobs. They marry their equally smart classmates and colleagues, and raise their smart children to succeed academically. But this does not mean they form a "self-perpetuating dominant class," in the sense that Soares uses it. They act as individuals, not as a cohesive group; their demographics cut across all racial, ethnic, religious, and political lines; and

their ranks are dynamic, not static.

Soares favors such class-based policies as "Berkeley-style socio-economics admissions policies" and "class-based affirmative action." He recommends that the top 10th of every high school class be "admissible" at elite colleges. The impracticality of such a blanket application of class rank as a measure is immediately apparent — it equates the rank at an extremely competitive school filled with high achievers to the same rank at an inferior school where many of the graduates may be barely literate.

Ironically, Wake Forest intends to substitute the very sort of subjective measures, such as personal interviews and "evidence of character and talent," for which Soares criticized Yale in his book. Wake Forest's subjectivity goes far beyond Yale's, since Yale used these measures in conjunction with standardized tests. Wake Forest will use SAT tests only if the applicant voluntarily submits them.

But such inconsistencies do not seem to matter when there are political goals such as achieving diversity. Soares recommends that all elite colleges reserve 25 percent of their seats for students from the bottom two-fifths in family income.

For all the high-blown rhetoric about creating a fairer standard, the policy change will make admissions more arbitrary. It is one more incremental change away from a tradition that uses the fairest measure of all, merit, toward one where membership in a politically favored group is most important. *CJ*

Jay Schalin is a senior writer with the John W. Pope Center for Higher Education Policy.



JAY SCHALIN

## North Carolinians for Home Education

### The MISSION of NCHÉ is to:

- PROTECT the right to homeschool in North Carolina.
- PROMOTE homeschooling as an excellent educational choice.
- PROVIDE Support to homeschoolers with conferences, book fairs, and other resources.



### The IDEALS of NCHÉ are:

- Educational excellence.
- Parental authority and responsibility for education.
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As of January 2005, there were over 60,000 homeschoolers registered in the state of North Carolina.

## Teacher Education Fails the Test at UNC Schools

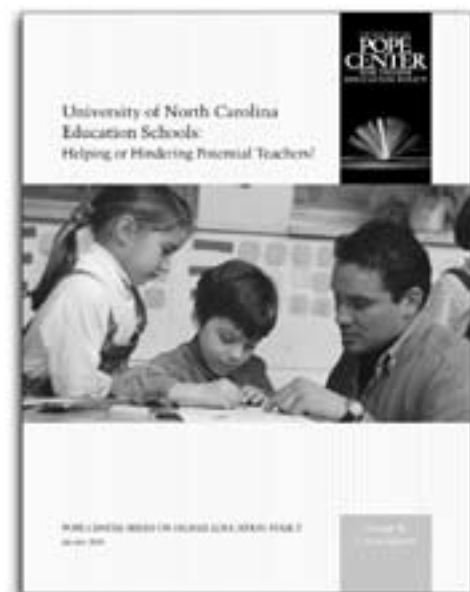
as reported in

**University of North Carolina Education Schools: Helping or Hindering Potential Teachers?**

George K. Cunningham

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## Town and County

## Union County sewer probe

A federal grand jury is investigating how Union County allocated scarce sewer capacity among potential new developments. Among those seeking legal representation are three county commissioners, *The Charlotte Observer* reports.

Union County is one of the nation's fastest-growing counties. Its population grew by 45 percent between 2000 and 2007. While many developers would like to see a continuation of the growth trend, a serious limitation has emerged in recent years: a lack of sewage capacity.

Last year, the N.C. Division of Water Quality, citing inadequate capacity at the county's largest water treatment plant, temporarily rejected sewer applications for more than 1,000 homes. Since then, an expansion of the county's Twelve Mile Creek treatment plant has been completed. Unfortunately, state officials have determined the creek doesn't have enough water flow to allow for any further expansions. Much of the county also is unsuitable for septic tanks.

Federal grand jury proceedings are secret. The existence of the proceedings came to light after the county's legal bill ballooned, including \$73,000 for high-profile lawyers to represent county commissioners Allan Baucom, Parker Mills, and Kevin Pressley. County Attorney John Burns described the hiring of outside lawyers as "not only prudent, but necessary."

## W-S traffic lights

Winston-Salem will be upgrading its traffic-light control system this summer and fall, with the aim of better synchronizing the lights. Traffic should flow better and delays decrease.

"The system is at least 10 years old, so we're seeing some communication problems and capacity issues," Stan Polanis, director of the Winston-Salem Department of Transportation, said to the *Winston-Salem Journal*. "When you think in terms of computers, 10 years is a long time."

The problem, which is common and affects all parts of the city, involves the chips in individual traffic lights not communicating properly with the software that coordinates traffic light patterns to maximize traffic flow.

The upgrades to the system are budgeted to cost \$1.1 million. The city will pay 20 percent of the cost. CJ

## Slope Ordinances Used to Curb Development

## Restrictions can have effect of limiting use of private property

BY BECKI GRAY  
Contributing Editor

While steep-slope ordinances have been introduced recently in North Carolina, the earliest known example of steep-slope regulations in the United States was in the early 1950s in Los Angeles, where grading regulations were first implemented.

Steep-slope ordinances have been widely used in many states and with many local governments from New Hampshire to California. Their stated purpose was to address and control engineering problems on hillside developments. The reality has been that steep-slope ordinances have been eroding personal property rights for more than 50 years.

In North Carolina, steep-slope and hillside regulations are mostly found at the local level as part of either a zoning ordinance or subdivision regulations, some more aggressive than others. One exception to this trend is the N.C. Mountain Ridge Protection Act of 1983 (NC G.S. 113A-205-214). The statewide act restricts development on mountain ridges that have elevations of 3,000 feet and higher. As the basis for enacting the law, the General Assembly found that:

"The construction of tall or major buildings and structures on the ridges and higher elevations of North Carolina's mountains in an inappropriate or badly designed manner can cause unusual problems and hazards to the residents of and visitors to the mountains. Supplying water to, and disposing of the sewage from, buildings at high elevations with significant numbers of residents may infringe on the ground water rights and endanger the health of those persons living at lower elevations. Providing fire protection may be difficult given the lack of water supply and pressure and the possibility that fire will be fanned by high winds. Extremes of weather can endanger buildings, structures, vehicles, and persons. Tall or major buildings and structures located on ridges are a hazard to air navigation and persons on the ground and detract from the natural beauty of the mountains."

According to a report from the Land-of-Sky Regional Council in North Carolina, the law has been mostly ef-



Slope ordinances got their start in the Los Angeles area, where development along steep canyon rims often led to landslides in wet weather.

fective in controlling development on mountain ridges. However, many mountain communities in the state are searching for ways to further control land use at lower elevations from development. The rights of property owners are eroded every time one of the ordinances is enacted.

Slope ordinances have already been enacted or proposed in Boone and Asheville, and in Buncombe, Haywood, and Jackson counties.

The ordinances direct how many homes can be built on a lot, maximum impervious surfaces allowed, if and where trees can be cut down, that retaining walls be built under the supervision of a professional engineer, and what kind of plants can be planted and where. A Buncombe County zoning ordinance goes so far as to say part of the property being developed "is required to remain in a natural state... as defined as the condition prior to development or other human activity," including privately owned land.

House Bill 1756, the Safe Artificial Slope Construction Act, was introduced in the Assembly in April 2007. The legislation would impose slope ordinances across North Carolina and greatly affect what private landowners could build on their land. The bill would require local governments to regulate planning, design, and construction of development on artificial slopes in mountainous areas and impose restrictive and expensive government regulation of development

in any area that has a slope of 25 percent or greater.

The degree of slope doesn't necessarily indicate a danger. Other factors that contribute to the stability of a slope include the type of soil, the depth of bedrock, the presence or absence of a spring, and the amount and type of vegetation.

These factors may be different on every piece of property, so instead of letting property owners and their bankers figure out the risks, counties would be required to hire a geotechnical engineer to map and evaluate a property before any development would be allowed.

House Bill 1756 would also require sellers to disclose landslide hazards to purchasers based on the N.C. Geologic Survey maps. Mapping for six counties is complete, but state geologists don't expect to complete mapping the remaining 13 mountain counties until 2014. A bill to provide \$1.4 million to continue the mapping project was introduced in 2007 (House Bill 1406), but it was never heard. There is \$341,305 in the 2008-09 budget allocated for three positions and operating expenses for the Landslide Hazard Mapping Program. That money was taken out of the Hurricane Recovery Fund of 2005.

House Bill 1756 was not heard during the 2007-08 session. But that doesn't mean restrictions are not being imposed. It also does not mean that a similar or an even more restrictive bill will not be introduced when the Assembly convenes in 2009.

Local governments are enacting restrictive ordinances affecting local communities, while on a statewide level lawmakers have said they intend to push for more. They want sweeping restrictions on development on slopes and mountain ridges. CJ

**Local governments,  
state lawmakers  
say they will push  
for more limits  
in the future**



# Fuel-Price Woes Have Put Regional Jets in Jeopardy

By MICHAEL LOWREY  
Associate Editor

CHARLOTTE

The rapid rise in fuel prices has greatly increased costs for the airline industry, forcing fare increases and cuts in service. While airlines are hurting in general, it doesn't follow that across-the-board cuts in flight are likely. Rather, certain types of routes and markets are more in danger of being eliminated than others.

One aircraft type in particular that has experienced large cuts is the so-called "regional jet." When first introduced in the 1990s, regional jets revolutionized air travel. The aircraft, seating 37 to 50 passengers, had adequate range and speed for flights out to about 1,000 miles. The jets were widely used to replace turboprops on short feeder routes to hubs, and to right-size capacity on routes that had previously been operated by larger planes.

In addition, regional jets allowed airlines to serve a new class of markets from their hubs. The markets were too distant for turboprops but too small to serve efficiently with aircraft seating 100 or more.

Another popular use for regional jets was to offer nonstop flights between medium-sized cities. Such routes are referred to as "point-to-point" service, as they do not involve a hub.

While regional jets offer airlines many advantages, they also have a decided downside: Their cost per average seat-mile, a standard industry measure of cost, is higher than larger jet aircraft or turboprops. A large element of this comes from their per-seat-mile fuel consumption being higher than other aircraft types.

Unsurprisingly, airlines are responding to the recent spike in fuel prices by sharply reducing regional jet flying, especially on point-to-point routes.

Raleigh-Durham International Airport, particularly, has been affected. The airport has lost or is scheduled to lose 30 flights this year.

That amounts to 13 percent of the flights it began the year with. Most of the cuts involve regional jets. Nonstop destinations dropped include Kansas City; Jacksonville, Fla.; Louisville, Ky.; and Austin, Texas.

Both American Airlines and Delta Air Lines will soon end service on region-

al jets between Charlotte and New York City's LaGuardia Airport. Piedmont Triad International Airport, meanwhile, has lost all service to Boston as Delta trims regional jet flying and flights to Continental's hub in Cleveland.

The effects, however, extend beyond regional jet operations. "Hub reach will constrict materially," wrote aviation consultant Mike Boyd recently on his company's Web site. "The farther an airline has to toss an airplane to feed its hub, the more financially dicey it becomes."

Several long routes from North Carolina have been on the cutting block. United has announced it's eliminating its daily RDU-Denver flight and one of its two Charlotte-Denver flights. Delta has ended its RDU-Los Angeles flight, while its single daily flight from Charlotte to its Salt Lake City hub

will end in September.

Tourism-based travel, especially, will be affected, Boyd said. "Over the past 30 years, the increasing availability of cheap air travel has resulted in enormous growth in leisure markets. But write this down: Big adjustments are going to be necessary, as any industry that depends on air transportation to deliver high percentages of its customer and revenue streams will need to rethink its business strategy."

More fuel-efficient airliners, which would again increase the number of viable market pairs, are still some ways off. While families can easily reduce their gasoline consumption by buying smaller cars that get better fuel mileage, things aren't as simple for airlines. In aircraft, bigger is typically more efficient on a per-seat-mile basis.

Two manufacturers, Airbus and Boeing, essentially control all of the market for planes seating more than 100 passengers. While they are constantly working to make the planes they now build more efficient, both envision the next generation of single-aisle jets seating 100 to 200 passengers to be about a decade off.

Even if a better 150-seat airliner is available in about 10 years, major U.S. air carriers operate literally hundreds of planes in this class. Replacing their entire existing fleets with more modern aircraft could take until 2030 or longer.



## COMMENTARY

### Include Full Spectrum Of Economic Interests

Not long ago, Reps. Ray Rapp, Phil Haire, and Susan Fisher, all western North Carolina Democrats, proposed vast regulations dealing with building on slopes. The underlying theme is not that different from almost all lefty agendas: create a crisis and find a government solution that pushes a political agenda.

In this case, the agenda is the cessation of development in the western part of the state. Make no mistake, the coastal parts of our state are also under siege as it relates to development, with many environmental groups pushing for much tougher laws to stop as much development as possible.

The *Asheville Citizen-Times* wrote that the case for stiffer rules has been made because the Land-of-Sky Regional Council released its final report stating the need for the rules. This group is a regional planning and development organization. It's actually an antidevelopment organization, but who's really paying attention? But more importantly, it was funded by a grant from the Z. Smith Reynolds Foundation.

Here's where there should be a reality check. Imagine if any newspaper in the state suggested that there needed to be a massive reversal of regulations because a group had conducted a regional meeting and the meeting was funded by a grant from the Heritage Foundation or, God forbid, the John Locke Foundation.

The first rationale for stopping buildings on slopes is that there are economic benefits to having unspoiled viewsheds. That means that it's bad for anyone to build on a slope, even if the builder is the property owner.

The report also wants to make sure that homes built on landslide-prone areas are "engineered" so that they are not threatening to others. Insurance companies and banks take a lot of time to protect their investments. The private market already has a vested interest here. Nowhere does the report address the cost of such "engineering." That's because the General Assembly doesn't generally care about costs to taxpayers.

An average cost per lot under such regulations could run from \$5,000 to \$50,000. An engineered commercial assessment could run

from \$50,000 to \$200,000 or more. That's a massive new increase in costs that might well be devastating to the economy and home sales in western North Carolina.

The report also suggests that streams and groundwater would be protected by such ordinances. The assumption is that all development destroys water quality. It doesn't. Local governments and the N.C. Department of Environment and Natural Resources already do a thorough job of assessing the impact on streams and rivers with existing regulations. DENR has more power than any branch of government to stop almost any development at any time.

The Homeowners Association and Realtors Association have fought such invasive regulations. The Left might want to demonize them, but these folks build people's homes and are vital to the state's economy.

One of the final suggestions has a modest degree of merit, meaning that prospective buyers should know about how prone their potential purchase is to landslides. This is a tricky subject because even current state maps of slopes, specifically in Jackson County, have disclaimers saying the maps might not be accurate.

Such ordinances seem trendy and needed, but they aren't. Counties would be forced to hire geotechnical engineers, whose services aren't cheap. Counties then would have to raise taxes to pay for the surveys.

If a landslide occurs in one area, the potential for landslides in other areas also might increase. Do counties need to be forced into liabilities because an unpredictable landslide occurred after an area was deemed safe by local authorities?

There are many more potential political landslides to explore beyond the scope of social engineers in the legislature. The exploration should include a full spectrum of economic interests.

CJ

*Chad Adams is vice president for development for the John Locke Foundation, director of the Center for Local Innovation, and former vice chairman of the Lee County Board of Commissioners.*



**CHAD ADAMS**

## Local Innovation Bulletin Board

## Planners Push Car Disincentives

Hammered by highway congestion, North Texas cities soon could approve ordinances to pressure large employers to cut car trips their employees take to work, in exchange for getting major highway construction on adjacent roads, the *Dallas Business Journal* reports.

Urban planners at the North Central Texas Council of Governments hope to see such city ordinances in place by 2009.

Companies having 100 employees or more would be asked to commit to reducing their employees' single-occupancy vehicle trips by 5 percent to 10 percent. Employers would be expected to provide incentives to encourage employees

either to use mass transit, to car pool, or to walk or bike to work. Employees also could work from home or compress the work week when major improvements or new construction is planned or underway.

The ordinance would apply to about 89 percent of the region's employees. Planners calculate there are about 4,500 employers, having about 1.32 million employees, on the region's major highway corridors.

Traffic in the Dallas-Fort Worth area is routinely ranked among the nation's worst. A new study from Washington-based Inrix found Dallas-Fort Worth fifth worst for congestion nationwide, behind Los Angeles, New York City, Chicago, and Washington, D.C. Dallas-Fort Worth motorists waste 60 hours annually from traffic congestion, and roads are congested 66 percent of the time.

### Generous to a fault

To escape the burden of its gold-plated benefits packages for city workers and retirees, Vallejo, Calif., is filing for bankruptcy in a federal court, writes Alexis Simendinger of the *National Journal*.

Vallejo, a mid-sized California city that is home to nearly 120,000 people, can no longer afford high salaries it has provided city workers. The city's generous payments to public safety workers stand apart, even in the pricey San Francisco bay area.

Last year, 292 out of 411 Vallejo employees were paid more than \$100,000 a year. Vallejo's city manager earns nearly \$317,000. A police captain earns \$306,000 a year in pay and benefits, six times what the average Vallejo teacher earns. The average firefighter is paid \$171,000 a year.

When public safety workers retire after age 50, they receive 90 percent of their top salary.

After nearly two years of difficult debate, the major and council decided that it was worth the stigma of being the largest city in California to seek bankruptcy protection if it helped Vallejo escape its financial commitments.

Experts agree that other state and local governments might face a similar predicament. Judging from the ominous mix of mounting costs for energy and food; declining property-tax and sales revenue; rising pension and health-care commitments to public workers; and greater demand for city services during hard times, they may be right, Simendinger says.

### Bumper sticker road rage

Drivers who sport bumper and window stickers on their vehicles are more prone to road rage, researchers at Colorado University say.

The researchers have released a new study that found that motorists who have personalized items on their vehicles are more likely to be aggressive drivers. Assessing the behavior of 500 drivers, they found that in the face of provocations such as being stuck in traffic, owners of cars covered with stickers and trinkets, known as territory markers, were more likely to act on their anger by flashing lights, tailgating, and blocking other drivers.

Drivers with at least one marker in or on their cars were 15 percent more likely to retaliate when they felt their territory had been threatened. The more markers a car has, the more aggressively the person tends to drive when provoked. The specific content of the stickers did not make a difference in how aggressive the driver was. CJ



## Bureaucrat's Spending Prompts Credit Card Audit

By MICHAEL LOWREY  
Associate Editor

Wake County has hired an accounting firm to conduct an audit of employee use of county credit cards. The move comes after the firing of an employee for racking up \$161,000 in spending on his county-issued card, much of it in questionable travel expenses and purchases, *The News & Observer* of Raleigh reports.

Craig P. Wittig was a recycling program manager in the county's Environmental Services Department from

February 2006 until he was fired June 3. Wittig's duties included managing the county's anti-littering campaign and planning an environment education center at a recently closed landfill. During

his time with Wake County, Wittig went on at least 50 trips, sometimes with the five employees he supervised or his family. Among the places Wittig visited were Disney World, Las Vegas, and Yellowstone National Park. He led a group of 17 on a weeklong whale-watching trip to Maine at county expense.

Wittig also bought expensive camping gear, a GPS receiver, a John Denver CD, and a novel about elves on his county credit card.

"Going to Disney World four different times? I'm not going to make excuses for that," said Wake County Commissioner Lindy Brown of Wittig's travels.

Solid waste Director James S. Reynolds, who supervised Wittig and signed off on his travels and purchases, was demoted and later resigned.

"The reason to have an audit is to tell the public this was an isolated incident," said County Manager David Cooke. "I've been here 12 years, and in my recollection we've not had to deal with anything like this."

The audit will review Environmental Services Department purchases from January 2006 on and all other county transactions within the past year.

### Fayetteville ethics panel?

In January, Fayetteville Mayor Tony Chavonne said he wanted to form a city ethics panel. Not much has happened since then, reports the *Fayetteville Observer*, though that may soon change.

Chavonne proposed the ethics panel in response to the "Ticketgate" controversy. On Oct. 25, Diana Knight,

a friend of Chavonne, was involved in a three-car accident and was initially given a ticket. The ticket was withdrawn later that day after, in violation of policy, the mayor, city manager, and police chief all intervened. Another motorist was given a citation instead, although the charge was eventually dropped. The Ticketgate affair would be among the first cases the panel would review.

Fayetteville's ethics board would be unique in the state. Research by the Institute of Government and the N.C. League of Municipalities found that no N.C. locality has an ethics board.

A panel of three college officials is expected to make a recommendation to city council soon about what the ethics panel would do and how it would operate. Whether council will go along with the

recommendations remains to be seen, especially as time since Ticketgate increases.

"I just don't think it's a priority," said Curtis Worthy, who served on city council until December. "Intelligent folks know that ethics is something you either have or you don't. You can't legislate ethics."

### Extra lanes in Charlotte

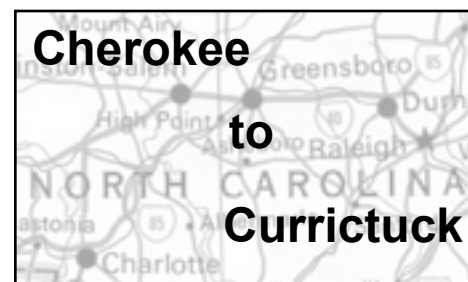
N.C. Department of Transportation officials hope that they will soon be able provide a short-term solution to a problem that has long plagued Charlotte motorists: a lack of capacity on Charlotte-area interstates. Under their proposal, the shoulders of portions of Interstates 77 and 485 would be used as extra lanes during rush hour.

State traffic engineers last year began looking at how to add capacity to I-485 between South Boulevard and Johnston Road and on I-77 between mile markers 23 and 30. Both interstates are heavily congested highways with only four lanes.

Both roads need to be widened, but the state lacks the money to do so before 2015, at the earliest.

While using the already paved shoulders as an extra lane seems like an obvious solution, state engineers were concerned that the Federal Highway Administration wouldn't approve of the idea. Federal officials have recently indicated that they would OK the added lanes.

The next step is for a consultant to determine what needs to be done to turn the shoulders into general travel lanes. The lanes aren't expected to be open before late next year, at the earliest. CJ



# Greensboro City Council Approves \$200M Bond Vote

By SAM A. HIEB  
Contributing Editor

GREENSBORO  
The Greensboro City Council recently approved a bond referendum of more than \$200 million that will go on the ballot Nov. 4. But some council members had questions about the manner in which the package was put together, which, in turn, is something Greensboro citizens might consider when they are inside the voting booths.

The bond package includes \$134 million for transportation, \$50 million for an extensive renovation of War Memorial Auditorium, \$20 million for parks and recreation, and \$1 million for housing.

Council members wanted to wait to see how Guilford County bonds fared in the primary May 6 before making a decision on city bonds.

Voters approved \$650 million in bonds, which some might think bodes well for the city bonds. But it made for a tight schedule when getting the bonds authorized and setting a public hearing.

As a result, some council members complained that there was insufficient information and discussion about which projects would be included with the bonds.

Councilman Mike Barber made the loudest protest at the meeting July 7. When the parks and recreation bond came up for a vote, Barber complained his request that a swimming facility be placed in the bond package wasn't adequately addressed by city staff. Barber also said city staff presented him with two cost estimates for the swimming facility, one \$10 million and the other \$20 million, which is the entire amount of the bond.

"We received information that was inaccurate, and it was very last-minute. It seems like we continue to struggle with numbers. If the numbers in one memo or document aren't correct, we'll get another one, and then we'll keep getting them until you beat us down or wear us out. I'm very frustrated with that," Barber said.

Barber also said council members are often left out of the loop on crucial decisions.

"There's a lot of unofficial feedback that many of us aren't privy to, and decisions are made, and we show up to meetings, and we don't have the information, nor do we know what's going to happen," he said.

City Manager Mitchell Johnson explained that the \$10 million project was more like a local, enclosed 50-meter pool, as opposed to a regional swimming facility with appropriate seating and amenities.

"I didn't want you to be staked out with the community with the expectation that we were going to pass a bond with \$10 million for a facility that would not meet the expectation you had," Johnson said.

Barber said that although council members set the bond amount before deciding on the individual items, they

still rely on numbers provided by city staff to determine what items can be included within that set amount.

"The only information we have is what staff provides us," Barber said.

Councilwoman Trudy Wade complained about misinformation from city staff about the transportation bond, which includes \$7 million for a proposed downtown greenway, the total cost of which has been estimated at \$26 million.

Wade said city staff told her initially that the greenway stood alone on the ballot.

Wade said the first she heard that the greenway was included on the transportation bond was 10 minutes before a previous council vote on the

bonds, and when she tried to ask city transportation director Adam Fischer about the change, he said he didn't know when it occurred.

At the meeting June 17, Wade made an unsuccessful motion to pull the greenway from the bond and have it stand alone on the ballot. But at the meeting July 7, Wade was able to secure an assurance from city staff that the language on the bond would state that the greenway was part of the deal.

"It's a little bit deceptive, since the greenway is on there," Wade said. "It

would seem to me that, on any of these bonds, the voters should know what's happening."

Wade also wanted to know whether there was some way of notifying citizens at the voting booth that a "yes" vote on a bond might cause their property taxes to rise.

"We all know it could make taxes go up two-and-a-half cents, but I don't think voters know that," Wade said.

City Finance Director Rick Lusk said the ballot language would generally address the possibility that taxes could be raised to offset the debt service, but more specific language is generally included in information the city provides citizens about the bonds leading up to the election.

Wade also addressed the larger question of how much time had been spent discussing the bonds.

"I don't think we spent any time at all on the bonds. I agree with Mike; it was a rush job," Wade said.

While the parks and recreation bond served as the focus for Barber's concerns, he also noted that the council had spent relatively little time discussing all the bonds.


"We ultimately as a council — correct me if I'm wrong — have spent 30 minutes discussing \$200 million," Barber said.

"What are we supposed to do, stay here until time is equal to money?" Councilwoman Goldie Wells asked.

"No, we didn't get to explore the needs much at all, much as we're rushed on the timetable," Barber said.

Greensboro voters rejected public funding for a natatorium in 2000, while partial funding for the greenway was included in the \$20 million county parks and recreation bond voters rejected May 6. CJ

**Some on council say the manner in which items were approved for inclusion in the bond vote was 'deceptive,' and that voters don't understand that approval will raise taxes**



**CAROLINA JOURNAL RADIO**

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• The debate over whether science proves or disproves a Designer is far from new. But as time goes on, even scientists who are professed atheists have found themselves admitting that the world they study is unlikely to have come from chance.

In *The Cell's Design: How Chemistry Reveals the Creator's Artistry*, biochemist Fazale Rana explains how startling discoveries about the cell offer new and powerful scientific evidence of a supernatural basis for life.

Among other issues, Rana describes a series of biochemical discoveries that indicate the work of design and responds to one of the most common challenges leveled against arguments for an intelligent first cause: imperfections found in nature. Learn more at [www.bethanyhouse.com](http://www.bethanyhouse.com). CJ

## Book review

## War Thrusts Surprising Characters to the Fore

\* Bruce Chadwick: *1858: Abraham Lincoln, Jefferson Davis, Robert E. Lee, Ulysses S. Grant and the War They Failed To See*; Sourcebooks; 2008; 355 pp.

BY HAL YOUNG  
Contributing Editor

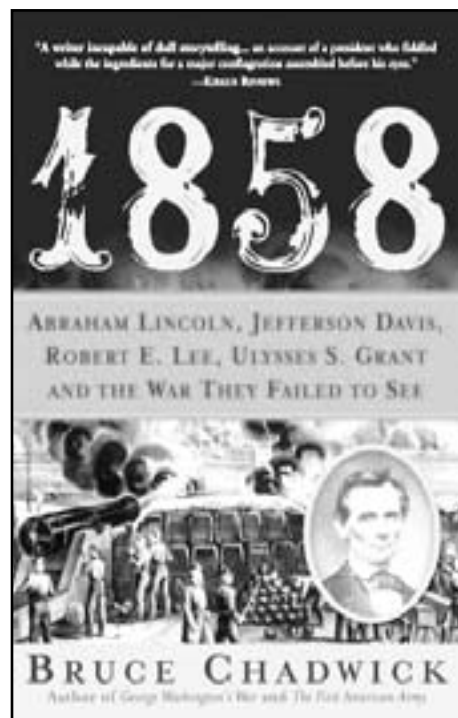
THE nagging question of American history is why a nation “conceived in liberty” by men as brilliant as Jefferson and noble as Washington couldn’t resolve the issue of slavery in the two generations following. Instead, the nation collapsed like a burning house. In his book, *1858: Abraham Lincoln, Jefferson Davis, Robert E. Lee, Ulysses S. Grant and the War They Failed To See*, journalist and historian Bruce Chadwick profiles seven men who rose to unexpected prominence with the coming of the war.

He believes 1858 was when the combustible material was stacked around the foundation, and the Caesar who fiddled while the Republic burned was the aggressively inept President James Buchanan. Nominated as a compromise candidate in 1856 to conciliate North and South, he instead presided over the dissolution of the Union. The author acknowledges that Buchanan’s incompetence did not bring about the breakup, but he shows that the president refused to see it coming and ultimately did nothing to stop it. Instead, he blithely asserted that the *Dred Scott* decision had settled the slavery controversy, engaged in warmongering in Paraguay, and plotted the political ruin of fellow Democrat Stephen Douglas.

Douglas ran a strong battle against Buchanan for the 1856 presidential nomination, and although he finally dropped out of the race and called for party unity behind Buchanan, even contributing \$42,000 to Buchanan’s campaign himself, the ungrateful president snubbed him from the start. Subsequently, when Buchanan called for bringing Kansas into the Union as a slave state, Douglas contended the proposed constitution did not represent the will of the majority there. The president never forgave the senator’s opposition and wasted much of 1858 on a personal vendetta. Douglas was ready to give as good as he got. “By God, sir, I made Mr. James Buchanan, and by God, sir, I will unmake him,” he exploded to one journalist.

Douglas, of course, had more local challenges to deal with and spent the summer debating Abraham Lincoln across the state. Chadwick devotes two chapters to the debates and the widespread interest they provoked. Douglas defended his seat from Lincoln by the narrowest of margins, and at year’s end he was seen as the presumptive Democratic nominee for president in 1860.

William Seward held the same ambition in the other party. The eloquent Republican senator from New York had



become the spokesman for the moderate wing of the antislavery movement, and he was likewise the assumed candidate for the Republicans in 1860. His speech warning of an “irrepressible conflict” over slavery went off like artillery in newspapers around the country, and he began to believe the people had finally grasped the importance of the antislavery cause — and his leadership role in it. In a remarkable example of political hubris, though, the exultant Seward left the country for a eight-month tour of Europe, not realizing the inroads that Lincoln and two other Republicans, Salmon Chase

and Edwin Stanton, would make on his electoral base in his absence.

Lincoln turned from the Senate election with the characteristic quip, “It hurts too much to laugh, and I am too old to cry.” Later, though, he said it was “a slip, and not a fall.” Not only had he successfully kept slavery in the forefront of the Senate race, he had gained himself a place in the national spotlight.

Douglas and Seward are almost the only characters in the book who ended the year 1858 with reasonably bright prospects in view. Of course, both were mistaken. Two more with the same confidence were simply deluded — the blindly incompetent President Buchanan, staunchly declaring the end of national conflict over slavery, and the abolitionist zealot John Brown, who intended to spark the violence Buchanan

denied. Of these four, only Seward was in a better position three years later. Brown was hanged in 1859, Douglas died before the First Battle of Manassas, and Buchanan became a political cipher. Seward became Lincoln’s effective secretary of state, keeping England and France out of the war and later negotiating the purchase of Alaska from the czar.

The other men featured in the book had a decidedly glum year. Robert E. Lee was on an extended furlough from a dead-end Army career, trying to sort out the devilishly complex estate of his father-in-law and contemplating resigning his commission for the life of a planter. William Sherman, on the other hand, had already left the army at the insistence of his wife, then lost a respectable banking position when the company collapsed. Sherman was scratching for income, selling provisions to immigrants in Kansas and yearning to be back in uniform. Jefferson Davis nearly died from an outbreak of herpes-related keratitis that left him blind and debilitated for months on end, and then suffered a surprising political backlash from a pleasant vacation in Maine.

Chadwick teaches both history and journalism, and it shows in his writing. His narrative style reads well, and

**The author teaches both history and journalism, making this volume an easy read with no surprises hidden in endnotes**

while he footnotes, there are no gems hiding in the end matter — the story is out front and accessible. There are some interesting surprises, such as the depth of friendship seen between men who were strident political opponents. Lincoln mourned over the death of Douglas, and

Seward made daily trips to sit by the sickbed of his friend Davis.

Davis receives an unusually positive portrayal. He was an indulgent slave master and seemed to believe most of them were like himself, but Lee is portrayed as coldly patrician. Ulysses S. Grant, contra the book’s subtitle, appears in only five paragraphs, as a cross reference, an endnote, or during 1858, bemoaning his poverty with Sherman in Kansas.

Overall, *1858* provides a different perspective on the surprising turns that history and biography make as they progress through time. Who, in that year, could have predicted the future of any of these men? Only a prophet — and the man proclaimed as such went to the gallows before the first cannon was fired. CJ

# Returning Students Have Great Resource in N.C. History Site

In August, N.C. students will head back to school, and history students will have a great resource: NorthCarolinaHistory.org. The online encyclopedia of the Tar Heel State continues to grow as new entries address familiar topics and little-known ones.

A new theme is "governors of North Carolina." Other publications offer histories of N.C. governors, but NorthCarolinaHistory.org is different. Its contributors

emphasize how each governor interpreted the proper role of government. Current postings include 20th-century governors such as James G. Martin, Thomas W. Bickett, and O. Max Gardner and also 19th-century governors such as William Hawkins, Tod Robinson Caldwell, and Benjamin Smith.

New postings also include essays dealing with the effects of the Voting Rights Act of 1965 in North Carolina, the political debate concerning the state government's cooperation with private companies, the story

of the first African-American to defeat a white opponent in a 20th-century election in a Southern city, and the history of the North Carolina Equal Suffrage Association.

During the 1890s, North Carolinians witnessed an era of contested politics. The decade included the formation of the first suffragette organization in the state.

Since the Seneca Falls Convention held in New York in 1848 and its "Declaration of Sentiments and Resolution," women's rights advocates across the nation demanded that political and civil liberties be granted to women. During the mid-to-late 18th century, some states granted women the right to vote. In 1869, Wyoming became the first to do so.

Women's suffrage remained a controversial issue and extremely so in North Carolina. Although women's rights advocates asked for national suffrage, it was granted in many states only in municipal elections. Women's suffrage sparked controversy, and many politicians wished to ignore it rather than address the issue. During the latter half of the 18th century, women's suffrage associations formed across the Union. One did not form in North Carolina, however, until 1894. That year, 45 women and men

convened in Buncombe County at the courthouse and established the North Carolina Equal Suffrage Association.

For the first 20 years, the association remained almost inactive, but when it became part of the National American Woman Suffrage Association in 1913, the association became a political influence in North Carolina. In 1915, the association found sponsors to introduce a bill allowing women to be notary publics. The bill passed both houses, but the state Supreme Court declared it to be an unconstitutional act.

In 1915, the association also found two sponsors, one in each house in the legislature, to introduce an Equal Suffrage Bill. Even though both houses defeated the bill, the association's leadership remained optimistic at the 1915 convention. With a national affiliation, the association grew in influence and membership to 1,000 by 1917. During World War I, when some women's rights groups participated in militant actions and protested outside the White House and called the president "Kaiser Wilson," the association used nonmilitant tactics.

Although the association played an active role in N.C. politics during

the wartime era, it never persuaded the state legislature to pass a bill granting universal suffrage or even to ratify the 19th Amendment. In 1920, Tar Heel women obtained suffrage because the necessary number of states, 36, had ratified the 19th Amendment and made it part of the U.S. Constitution. North Carolina, as historian William Powell writes, "in a meaningless action, finally ratified the amendment in 1971."

For more information regarding the association and women's suffrage, see "Documenting the American South, Proceedings of the Second Annual Convention of the Equal Suffrage Association of North Carolina Held at Battery Park Hotel Asheville, N. C. October, 29th, 1915" (<http://docsouth.unc.edu/nc/suffrage/suffrage.html>); William S. Powell, ed., *Encyclopedia of North Carolina History and North Carolina Through Four Centuries*; Milton Ready, *The Tar Heel State: A History of North Carolina*; and Françoise Thebaud, ed., *A History of Women: Toward a Cultural Identity in the Twentieth Century*. CJ

Troy Kicker is director of the North Carolina History Project ([www.northcarolinahistory.org](http://www.northcarolinahistory.org)).



**TROY KICKLER**

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The Meek Deck is the JLF's blog in Charlotte. Jeff Taylor blogs on this site and has made it a must-read for anyone interested in issues in the Queen City: <http://charlotte.johnlocke.org/blog/>



Squall Lines is the JLF's blog in Wilmington. A group of JLF staffers and coastal friends keep folks on the coast updated on issues facing that region of the state: <http://wilmington.johnlocke.org/blog/>



Piedmont Publius is the JLF's blog in the Triad. Greensboro blogger and writer Sam A. Hieb mans the controls to keeps citizens updated on issues in the Triad: <http://triad.johnlocke.org/blog/>



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## Short Takes on Culture

**'Dark Knight' Worth the Hype**

• "The Dark Knight"  
Warner Bros. Pictures  
Directed by Christopher Nolan

The newest installment in the Batman series leaves all its predecessors in the dust. After the events of the last film, "Batman Begins," we find Bruce Wayne (Christian Bale) living in a hotel while Wayne Manor is being rebuilt, but he still continues to serve Gotham as the Caped Crusader.

This chapter is not a remake of the original Batman with Jack Nicholson's Joker, but a brand new story in which the villain is more twisted, dark, and sinister. Personally, Heath Ledger didn't seem to be the kind of actor that should take on a role such as this, but he soon smashed all my preconceptions.

The Joker returns in this movie to help the mob, which is continually being harassed by new district attorney Harvey Dent (Aaron Eckhart) and Batman. The role of the Joker and his minions seems to be that of a deranged cleanup crew, where they weed out a few snitches, take a couple hostages, and bring fear back to a city that was thought safe.

An obsession also occurs between the Joker and Batman in which the Joker takes it upon himself to try to twist Batman from a hero into a murderer. Batman is forced to make a choice in whether or not he can justify killing to protect the city and those closest to him.

The movie takes more from the later comic books and graphic novels than the older cartoons. The all-star cast makes a large contribution with no one falling short of anyone else. Some stand out more than others, and if you were impressed by Christian Bale in his first try, be prepared to see him move to the back burner by Ledger's deranged performance that can only be described as, "Heaven wrapped in bacon served on a silver plate."

— JOEL GUERRERO

• *What's So Great About Christianity?*  
By Dinesh D'Souza  
Regnery Publishing

While some might think that the anti-Christian movement is growing stronger, Dinesh D'Souza writes in his recent book *What's So Great About Christianity?* that it has been Christianity that has held society together for so many years.

The basis of D'Souza's book is to rebut the atheists who would have us believe that religion, but

primarily Christianity, is on its last legs in America.

In his book, D'Souza mentions John Locke and the idea of religious freedom. Locke and other early modern thinkers were sincere and practical Christians who were disgusted by the abuses that had occurred in the name of Christianity. The idea of religious freedom was instrumental in the founding of America. Even Thomas Jefferson, one of the least religious of the founders, argued that religious faith was the very foundation for liberty.

D'Souza gives insight into why atheists fear the Big Bang Theory, why Christianity is the main underpinning of Western Civilization and the root of our most cherished values, and why Christianity is the ultimate defense of man's free will. I would encourage anyone to read this book as an insight into the importance Christianity has played in the modern world.

— MICHAEL MOORE

• *Stupid Black Men*  
By Larry Elder  
St. Martin's Press

With a title like this, Larry Elder is bound to generate some controversy. Of course, any book written by a conservative African-American will do that. But Elder, a radio talk show host out of Los Angeles, particularly takes off the kid gloves in *Stupid Black Men: How to Play the Race Card — and Lose*.

With each passing chapter, Elder diagnoses what he thinks is wrong with the black community in modern-day America and what can be done to turn the tide. No sacred cow is left untouched: not leaders like Jesse Jackson and Al Sharpton, not sports figures, not the education or criminal justice systems, not even racism and Katrina.

Yes, racism still exists in America, Elder says, but it is practiced by a minority and no longer has institutional power. That means you can succeed regardless of your skin color, but it takes that ugly four letter word: work. Elder has little sympathy for those who say racism permeates every part of American society and prevents minorities from excelling.

"The formula for success is simple: work hard, make sacrifices, focus on education, delay gratification, avoid bad moral mistakes, and maintain optimism," Elder writes.

Nothing could be more American.

— DAVID BASS CJ

## Movie review

**'WALL-e' Supremely Entertaining**

• WALL-E; Directed by Andrew Stanton; Disney/Pixar; Released June 27; 1 hour, 38 minutes.

BY JOHN CALVIN YOUNG  
Contributing Editor

RALEIGH

Disney/Pixar's latest animated odyssey opens to a much bleaker world than the one outside the theater doors.

A shell of abandoned satellites rings a wasted Earth mounded in trash and studded with spent nuclear reactors and empty cities. The sky has taken on a copper hue from the continual dust-storms, and even the ultramodern transit systems and starports are empty and windblown. When the Earth's pollution accumulated to an unlivable level, the humans boarded cruise-ships-to-the-stars and left an army of Waste Allocation Load Lifter-Earth Class robots to deal with the ruined planet.

The only problem is the project failed. Only one robot still works on, and he is lonely. WALL-E, voiced by Ben Burtt, toils cheerfully during the day, but spends his evenings wondering what it would be like to have a friend. Pollution-ruined robots dot the landscape, and WALL-E's only companion is a cockroach.

When an inquisitive Extraterrestrial Vegetation Evaluator, a gorgeous but sharp-tempered space probe named EVE, Elissa Knight, suddenly drops into his environment, he is instantly smitten. He takes her to his "home" to show her the oddities he has collected in his work. When she finds a seedling in his hoard, though, she collects the plant and goes into hibernation. When her carrier rocket returns to pick her up, WALL-E stows away as the spaceship leaves for the Crab Nebula.

When the robots and their precious plant reach the Axiom, an immense starship sheltering the human race, they encounter another troubled world. Waited on hand-and-foot by a crew of obsequious robot stewards, the humans have lived a life devoid of physical exertion or personal responsibility. They are unable even to act for their own good.

EVE's plant, like the olive sprig the dove returned to Noah's ark, indicates that Earth can support life again and humanity can return. The robots are not so ready to relinquish their power, and a colossal struggle erupts over who will control the plant. EVE and WALL-E must race against time to rouse the humans if they are ever to return to Earth.

WALL-E is a personable little robot, and his cheerful labor and innocent curiosity will endear him to viewers. EVE is initially cold, until she replays her memories of Earth for the starship captain and realizes the little things WALL-E did for her. Her subsequent devotion to WALL-E, who risks his life



to recover the plant and complete her mission, is touching. It raises interesting questions about robot romances but plays out well in the movie.

The underlying themes are more problematic, though. Humans are depicted as finally having ruined the earth with nuclear reactors, oil tankers, satellites, and the excess of consumerism — symbolized by billboards on the moon. The film issues a strong indictment against modern society, portraying the human race as a selfish horde of consumers focused solely on leisure and entertainment. BNL, the global corporation that built and operates the Axiom, is actually short for "Buy-N-Large." Every human on board the starship lives in a motorized hoverchair, their every whim supplied by the robot stewards. Virtual golf and tennis are common pastimes on the Axiom, but few of the grotesquely obese passengers even know that there is a real swimming pool aboard.

These adverse impressions are mitigated somewhat by a plot that pushes the humans finally to develop some muscle and that shows the environment finally becoming habitable again. Political jabs are less balanced, though. The briefing room of the White House is shown twice, with the BNL logo substituted for the Great Seal, as the former CEO of BNL, Fred Willard, issues disastrous advice in a heavy Texas accent, urging his listeners to "stay the course" in a not-so-subtle comparison to President Bush.

These environmental and societal premises have a decidedly alarmist slant, but the actual plotline balances it to a large degree. The characters are masterfully drawn, and Pixar's animation is flawless as always. Taken altogether, "WALL-E" is a supremely entertaining film, with more serious themes. It will be enjoyed by all ages, and well deserves a place next to "Finding Nemo," "The Incredibles," and "Cars" on the family DVD shelves.

CJ

# Author's Epiphanies Turn Him Into a 'Grumpy Tourist'

\* Tony Horwitz: *A Voyage Long and Strange: Rediscovering the New World*; Henry Holt and Company; 445 pp; \$27.50.

By MELISSA MITCHELL  
Contributing Editor

RALEIGH

After reading the book jacket of Tony Horwitz's latest book, *A Voyage Long and Strange: Rediscovering the New World*, I felt some relief about my lack of knowledge of American history. Horwitz has been a history buff since childhood and even majored in history at Brown University, but a trip to Plymouth Rock and a chance remark by a park ranger reveals that he had a third-grader's knowledge of early American history. Somewhere between Columbus' landing in 1492 and the Pilgrims in 1620, Horwitz says, he lost 128 years.

He then asks, "Did nothing happen in between?" This question sends Horwitz on a voyage that retraces the steps of the early American explorers and covers America from Newfoundland to Mexico.

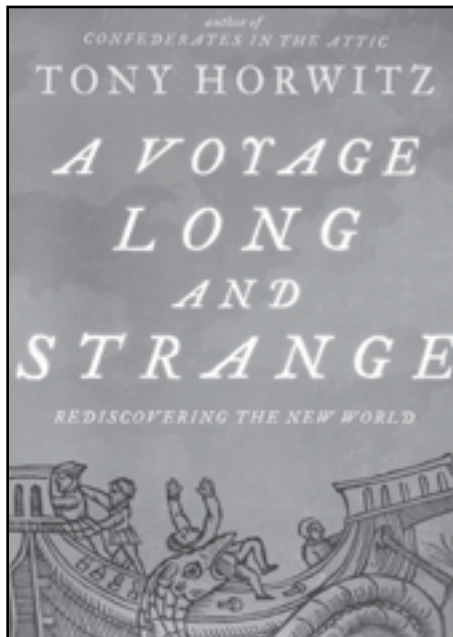
Most Americans blindly accept the story of the Pilgrims landing at Plymouth Rock as the beginning of U.S. history. But, as Horwitz quickly points out, the Spanish were already a force in the New World 100 years before the Pilgrims arrived in Plymouth. Even Jamestown in Virginia preceded Plymouth by 13 years.

Horwitz's journey begins in Newfoundland, where there is archeological evidence that the Vikings journeyed from Greenland to Newfoundland in 1000 AD. Many historians see the Norse settlements in Greenland and Newfoundland as failures, but Horwitz disagrees, noting that while Europeans rarely sailed out of sight of their continent, the Vikings were venturing out in boats without a sextant or a compass. Horwitz also notes

that Norse scholar Thomas McGovern makes the case that all invasive species struggle to survive. Certainly, Horwitz's adventure in Newfoundland illustrates the harsh conditions the Vikings endured, which is what Horwitz illustrates throughout his book.

From Newfoundland, Horwitz turns to Columbus' voyage. Studying the literature on Columbus took months because there are more books devoted to Columbus' memory than there are about Alexander the Great, Leonardo da Vinci, or Hitler. Yet, according to Horwitz, even with all of this scholarship, Columbus remains a mystery. "Columbus himself invited it. He masked his own story," Horwitz says. Turning to Columbus' own writing was little help because no two translations agreed and others were untranslatable. However, Horwitz still manages to present a wealth of information about the man, his ships, and his voyage to the New World, which will surprise and delight history buffs.

In his effort to trace Columbus' journey, Horwitz heads to the Dominican Republic, where the Spanish had a presence a full century before the English settled Virginia or Massachusetts. The Dominican Republic tourist industry will not be happy with the picture Horwitz paints of the country: the heat, the blackouts, the dreadful hotels, the difficulty renting a decent car, and the al-



most nonexistent phone service. As he quickly learns, Columbus is not revered in the Dominican Republic; in fact, even saying his name is considered bad luck, which makes it difficult to gain historical information or locate historical sites. But even as Horwitz deals with the difficulties of travel and getting information, he provides historic information about the settlement of

the Dominican Republic and the surrounding islands. He also provides a look at the emergence of slavery in the Americas. As the native Indian laborers died off, or escaped to other areas, African slaves were brought to the islands to fill the void.

Horwitz discusses many of the Spanish explorers, but the most fascinating one is Cabeza de Vaca, who Horwitz says, "took a cross-country trek that made Lewis and Clark's expedition, three centuries later, look like a Cub Scout outing." Cabeza de Vaca's route took him from Florida, along the Gulf of Mexico through Texas, and through Mexico to the Gulf of California. During this journey, Cabeza de Vaca becomes like a wild native. Horwitz then takes his readers on a southwest trek that mirrors the path of Coronado's march through Mexico, Arizona, and New Mexico — a journey that Horwitz notes is difficult even by car.

Finally, after discussing the Plains,

the South, and the Mississippi, Horwitz turns to the east coast and the settlement at Roanoke. Unfortunately, Horwitz's discussion of the Lost Colony and Sir Walter Raleigh will not endear himself to North Carolinians, but there is a lot of history revealed about Roanoke Island. "The colonists were not lost, they were abandoned," Horwitz says. He then tells how circumstances led to the abandonment. He also provides a wealth of information about the Roanoke natives.

In Chapter 12, Horwitz tells the true story of the Jamestown settlement. Like Plymouth and the Thanksgiving story, the stories related in elementary schools across the United States and in the Disney movie have little resemblance to the true story of John Smith and Pocahontas.

By the time Horwitz returns to Plymouth three years later, he no longer sees Plymouth as the cornerstone of early America. He sees it as the "capstone of the cairn erected by all those who came before." He becomes a grumpy tourist, who has to resist quibbling with shopkeepers and whose T-shirts say "America's Home Town" and setting tourists straight about pre-Mayflower history.

Throughout the book Horwitz provides historical information about the founding and settlement of America. He shows the determination and hardships faced by the New World settlers. There are some things that seem more hype than historic. For example, the sweat hut in Newfoundland, which seems more like a 1970s or '80s hippie invention. Horwitz also traces the history and current status of the surviving American Indian tribes.

Unfortunately, like many current books, the author found it necessary to include some unneeded language. CJ

## BOOKS AUTHORED BY JLF STAFFERS



By John Hood  
President of the  
John Locke Foundation

### Selling the Dream Why Advertising is Good Business

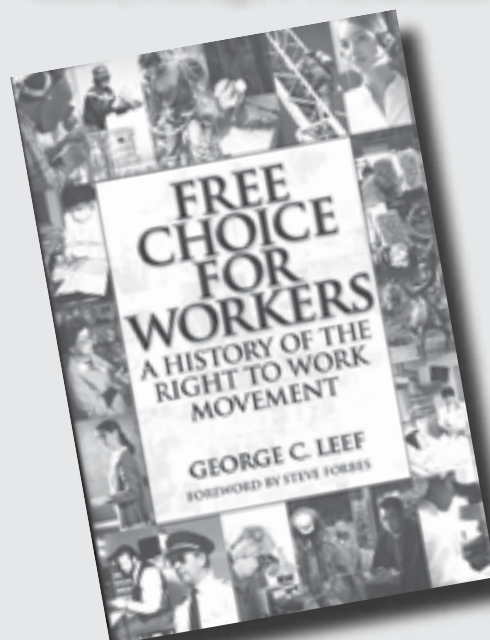


"[Selling the Dream] provides a fascinating look into the world of advertising and beyond ... Highly recommended."

Choice  
April 2006

[www.praeger.com](http://www.praeger.com)

## Free Choice for Workers: A History of the Right to Work Movement



By George C. Leef  
Vice President for Research at the  
John William Pope Center for Higher  
Education Policy

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## LETTER TO THE EDITOR

## N.C. League Works In Cities' Best Interests

To the editor,

In response to the article in your April issue, I want to provide your readers with some factual information about the N.C. League of Municipalities. Municipal officials in our 542 member cities and towns have chosen to pool their resources through their League to realize economies of scale and cost savings. We thus avoid the need to duplicate areas of expertise.

The NCLM has 96 authorized positions (employees) and of these, more than half work exclusively in our three insurance programs, handling claims, underwriting, and related functions. Additional staff members in other departments, such as finance and information technology, work primarily on the insurance programs.

Our League staff may be larger than that of other states

because of the size of our insurance operations. Some of facts stated in the article, however, are incorrect. The Virginia Municipal League (VML) has at least 74 staff members including their insurance operations, for example. Your article cited a group stating that the VML has a staff of four.

Our League offers many services to member cities and towns, including answering inquiries, research, publications, conferences and training, management assistance and advocacy. Additionally, two staff members of the N.C. Metropolitan Coalition, a group of the state's largest cities, are a part of the League staff, and we provide support services (financial, meeting planning, member services) to about a dozen affiliated professional associations and constituency groups. Cost-saving programs offered to member municipalities through our organization help save tax dollars.

State statutes require that we register staff members as lobbyists when they interact with designated state officials. These state officials include not only legislators, but also a wide range of state

officials. There currently are nine registered lobbyists for the League, but some of these do not lobby in the General Assembly. They work with the Department of Environment and Natural Resources, staff of the retirement system, the N.C. DOT and many other departments, commissions and agencies of state government. They work on a wide variety of issues, such as transportation, who should control where cell towers are built, whether collective bargaining with public employee unions should be mandated, water and sewer issues, and gang prevention.

Advocacy, or lobbying, is just part of the work responsibilities for these staff members.

They also answer legal inquiries, provide training, perform the legal work of the League, advise the insurance programs on legal issues, serve as staff to affiliate or-

ganizations and write publications.

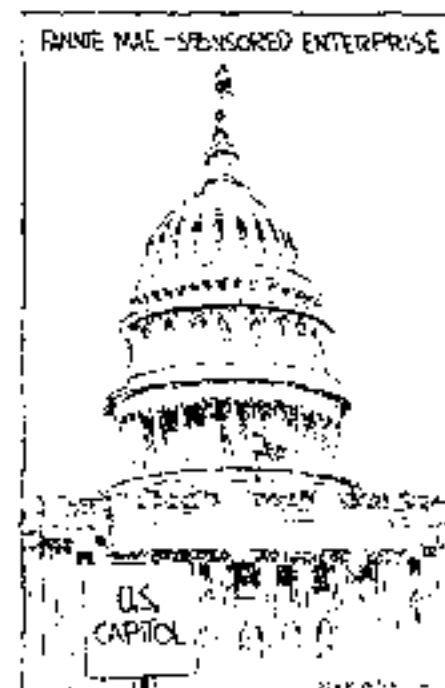
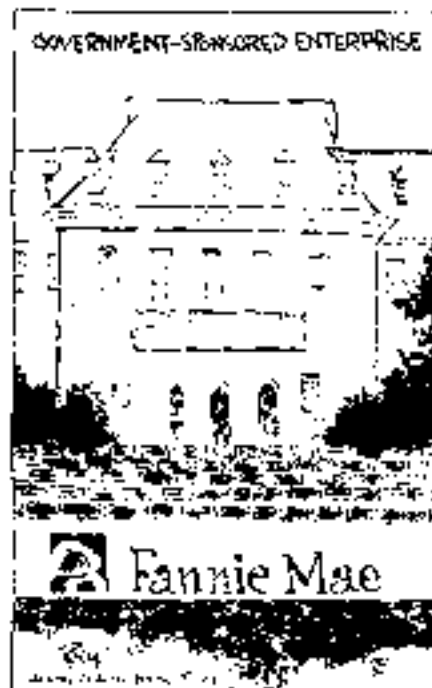
The positions advocated by League staff members are those adopted by municipal officials after a thoughtful policy development process. This process includes work by committees comprised of officials representing all areas of the state, and cities and towns of varying sizes and differing interests.

We know that some individuals disagree with our membership's position on annexation and perhaps on some other issues. Please know that our League policies are based on our best judgment of what is in the best interest of the municipal residents of North Carolina for the long term. We believe that economically vital cities and towns are crucial to the future of North Carolina and will continue to work through our organization, the N.C. League of Municipalities, on behalf of our residents and for a better North Carolina.

**Susan Burgess  
Mayor Pro Tem  
Charlotte, N.C.**

*Susan Burgess is the 2007-08 president of the N.C. League of Municipalities.*

**Size of League  
staff affected by  
the number of  
services provided  
for members**



## EDITORIAL

## Sometimes It's Better To Be Sick Than Dead

The poison that makes you sick is better than the poison that kills you."

That analogy hardly sounds like a ringing endorsement for legislation. But it was the best argument Rep. Pat McElraft, R-Carteret, could find to support Senate Bill 1967.

S.B. 1967 sets more stringent development restrictions within North Carolina's 20 coastal counties. The restrictions' stated goal is reduced pollution from stormwater runoff.

Many lawmakers supported the bill but disliked the restrictions. They would rather have seen new rules die on the vine. What drove support for S.B. 1967 was fear of even more burdensome regulations.

Wait a minute, you say. If the Assembly does nothing, isn't coastal North Carolina left with the status quo? How can new restrictions take effect with no legislative action?

Answers to those questions involve North Carolina's Environmental Management Commission. Appointed by legislative leaders and the governor, EMC members never face election. Taxpayers and property owners cannot take direct steps to hold EMC members accountable.

EMC stormwater rules adopted earlier this year sparked protests from coastal developers, property owners, and local governments. Once opponents generated 10 protest petitions, state law delayed the EMC's plan. The protest petitions triggered a state law that blocked implementation of new stormwater rules until after the 2008 legislative session that ended in mid-July.

That law also gave lawmakers

time to consider a "disapproval bill," a bill that would overturn the EMC's decision. S.B. 1967 started its life as a "disapproval" bill. But that's not the legislation that wormed its way through the legislative process.

S.B. 1967 represented a compromise developed after regulators, environmental groups, developers, local governments, and others spent more than 30 hours haggling in public meetings (and even more hours in private discussions).

The bill tightened some existing restrictions but diluted the EMC's proposals. Supporters contended the bill was the only sure bet to win approval — even halfhearted approval — from all stakeholders this year. Without acceptable legislation, the EMC rules would have taken effect as soon as lawmakers left Raleigh for good.

Proposed EMC stormwater rules have generated controversy in the halls of the legislature during three of the last five years. Perhaps the third time will prove to be the charm that changes the process. It should disturb any property owner that he has no recourse to hold members of the EMC accountable. Equally disturbing is the fact that EMC rules so often run afoul of legislators who do face public scrutiny at the ballot box every two years.

What's most discouraging is the current scenario. The objectionable EMC stormwater standard is the "default setting." Lawmakers can allow it to take effect or scramble to come up with something better.

The choice between the "poison that makes you sick" and the "poison that kills you" is not a choice North Carolina ought to have to make. CJ



## EDITORIALS

## An Ill-Used Tax

*Use car-rental tax for something practical*

If the Triangle Transit Authority is going to continue getting millions of dollars from the local tax on car rentals, there are certainly worse ways to spend the money than investing in new buses and vans.

Like continuing to buy land for train stops.

With \$4 gasoline, demand for transit service is understandably up in the Triangle area and in other North Carolina metros. Some of the increased demand comes from "choice" riders, those who own automobiles but can be induced to ride buses or vanpools if fuel costs and traffic congestion are high enough.

Although political activists and environmental extremists are prone to exaggeration about transit ridership — even huge percentage increases on a tiny denominator still translate into only a small number of folks commuting by transit — there is no doubting the trend.

For years, TTA spent the car-rental taxes to help purchase right-of-way for its planned rail system linking North Raleigh, via Cary, to the Research Triangle Park and Durham. Then it became obvious, even to the

true believers, that the envisioned system wasn't going to receive federal funding. The forecasted ridership and effect on vehicular traffic were too small to justify federal dollars.

The best idea would have been to repeal the car-rental tax altogether. It never made sense to force rental-car consumers — not just visitors but also local businesses and people awaiting car repairs — to finance a disproportionate share of local transit development.

But government agencies rarely stop collecting taxes or cease operations of their own accord. TTA doesn't run local bus systems, which remain under the control of municipalities, but it does provide regional service. It isn't going away anytime soon.

The next-best policy, then, would be for TTA to spend the tax dollars on assets that have immediate, practical uses and won't lose most of their value in the future if economic conditions change.

Plowing more money into rail preparation fits neither bill. Buses and vans do. Right now, they can be productively employed to carry willing customers. CJ

## Medicaid in Florida

*'Empowered Care' may provide lessons*

There is no easy answer to the challenges facing North Carolina's Medicaid program — quality, access, and expense to taxpayers, for starters — but policymakers in Raleigh ought to be looking southward to a promising pilot in Florida for ideas on how to proceed.

Former Gov. Jeb Bush and the Florida legislature crafted a demonstration program three years ago and got approval from Washington to proceed in the Jacksonville area and several other counties.

Called "Empowered Care" by Florida leaders, the program gives Medicaid recipients a set amount of money per month, adjusted by health risks, with which to enroll in private health plans. Recipients also receive counseling on how to choose among the various options to find coverage and provider networks best suited to their family's needs.

Just two years into the implementation, it's too early to draw definitive conclusions about Florida's Medicaid reform. But there are several indicators of progress toward the

goals of the plan, including increased choice, patient satisfaction, and fiscal restraint:

- After the reform plan was implemented, the number of managed-care options increased from 15 to 22 in Broward and Duval counties, including a specialty network serving children with chronic conditions. Many of the pre-existing plans introduced new coverage options, as well.

- In the first year of operation, expenditures for the elderly and disabled component of the Medicaid caseload came in at nearly 8 percent below the authorized budget.

- The program gives all Medicaid recipients "enhanced benefit accounts" from which they can spend cash on additional services. The state then credits these accounts as enrollees provide proof of such activities as annual physicals and vaccinations.

It's too soon to declare Florida's Medicaid reforms an unqualified success. But it's not too soon for North Carolina and other states to start tracking the pilot closely and looking for valuable lessons. CJ

## COMMENTARY

## Legislation Seeks To Bully Employees

The proposed Employee Free Choice Act would deprive millions of American workers of their freedom of choice — proving, in case anyone ever doubted it, that there is no truth-in-labeling rule in politics.

The federal legislation, pushed heavily by labor unions in Washington and the states, would, among other things, institute a system for union organizing that is innocuously referred to as "card check." Rather than holding workplace elections by secret ballot, as is the current law, card check would require union organizers simply to collect enough signed cards to establish union representation in a given workplace.

Unions want to change the rules of labor law because they can't organize many workplaces under the current law. If you have young children or have spent much time around them at the playground, you've seen this behavior before.

While they're playing a given game, everything's fine. But then a child loses, gets disappointed, and turns sullen. "That's not fair!" he'll scream out petulantly. You can explain that fair rules are meant to ensure that everyone gets a chance, not to ensure a particular result, but you'll likely be wasting your time. Kids pretty much have to outgrow the phase.

Unless they go to work for a labor union.

Most Americans have no interest in joining a union, much less in being compelled to pay dues into a union whether they join or not. If your goal is to arrest the continuing decline of private-sector unionism, the rules of the game must be changed. While workplace elections are discrete events, with clear results, card-check campaigns are ongoing. They also essentially force employees to declare their sympathies openly, which allows union activists to focus their efforts on the noncompliant and "persuade" them to go along.

Again, think back to your playground days and remember how bullies act.

Many of the politicians who

advocate the card-check bill would be the first to complain if a state or foreign country got rid of secret ballots. They'd proper recognize the move as a precursor to ostracism, intimidation, or corruption. But when

it comes to labor elections, they appear to believe that the end justifies the means. What they'll really get is a voting system reminiscent of Zimbabwe or Turkmenistan.

As it happens, I think the best policy for the federal government would be utter neutrality about the hows and wheres of labor organizing. Unions would be free to organize themselves in any way they

wish, workers would be free to join or not to join them according to the unions' rules, and employers would be free to recognize a union or disregard it altogether, without any governmental involvement. Workers would be free to withhold their labor if they wish, and employers would be free to terminate them and hire other workers if they wish.

Unfortunately, that's not the

system we have, nor are we likely to get it anytime soon. Under decades-old labor law, unions can use the power of government to enforce their dictates and supervise their negotiations with employers. So it

becomes necessary for policymakers to have a say in setting the rules for workplace elections.

In North Carolina, Sen. Elizabeth Dole and other Republican lawmakers will speak out against the card-check legislation next month at an event in Hickory. The stakes are significant in our state, which has one of the lowest rates of unionization in the country. According to an analysis earlier this year by the Heritage Foundation, some 3.1 million North Carolina workers could lose their freedom of choice if the so-called Employee Free Choice Act were enacted into law.

And all to satisfy the personal and political interest of a few juvenile malcontents and adolescent bullies. Adult intervention is warranted. CJ

Hood is president of the John Locke Foundation.



**JOHN HOOD**

**Goal of Employee Free Choice Act is anything but free choice for employees**

## EDITORIAL BRIEFS

*Why oil prices will tank*

Arguments that \$4-a-gallon gas, or higher, is here to stay are dead wrong. High-flying tech stocks crashed. The roaring housing market crumbled. Oil, rest assured, will follow the same path down, says Shawn Tully, editor-at-large of *Fortune* magazine.

Basic economics dictates that the only question is when prices will decline, Tully says. The same forces contributing to the jump in oil prices are causing a classically unstable market that's destined for a steep fall.

A big swath of the market isn't really paying \$125 a barrel often quoted in the media. In China, India, and the Middle East, governments are heavily subsidizing oil for their consumers and corporations, leading to rampant overconsumption and driving up prices even more.

When the price is \$125 a barrel, the incentive to pour out more oil, like homebuilders' incentive to build more two years ago, is irresistible. Eventually, the price must return to the cost of that last barrel to clear the market, which costs \$50 to produce, says Stephen Brown, an economist at the Dallas Federal Reserve.

That's just the supply side of the equation. Demand should start to decline as well. Historically, the oil market has underanticipated the amount of conservation brought on by high prices.

In the 1970s and early 1980s, the price spike caused the world to cut back sharply on oil consumption. By the mid-'80s, oil prices had fallen from almost \$40 to about \$15 and remained extremely low for two decades.

*More progressive all the time*

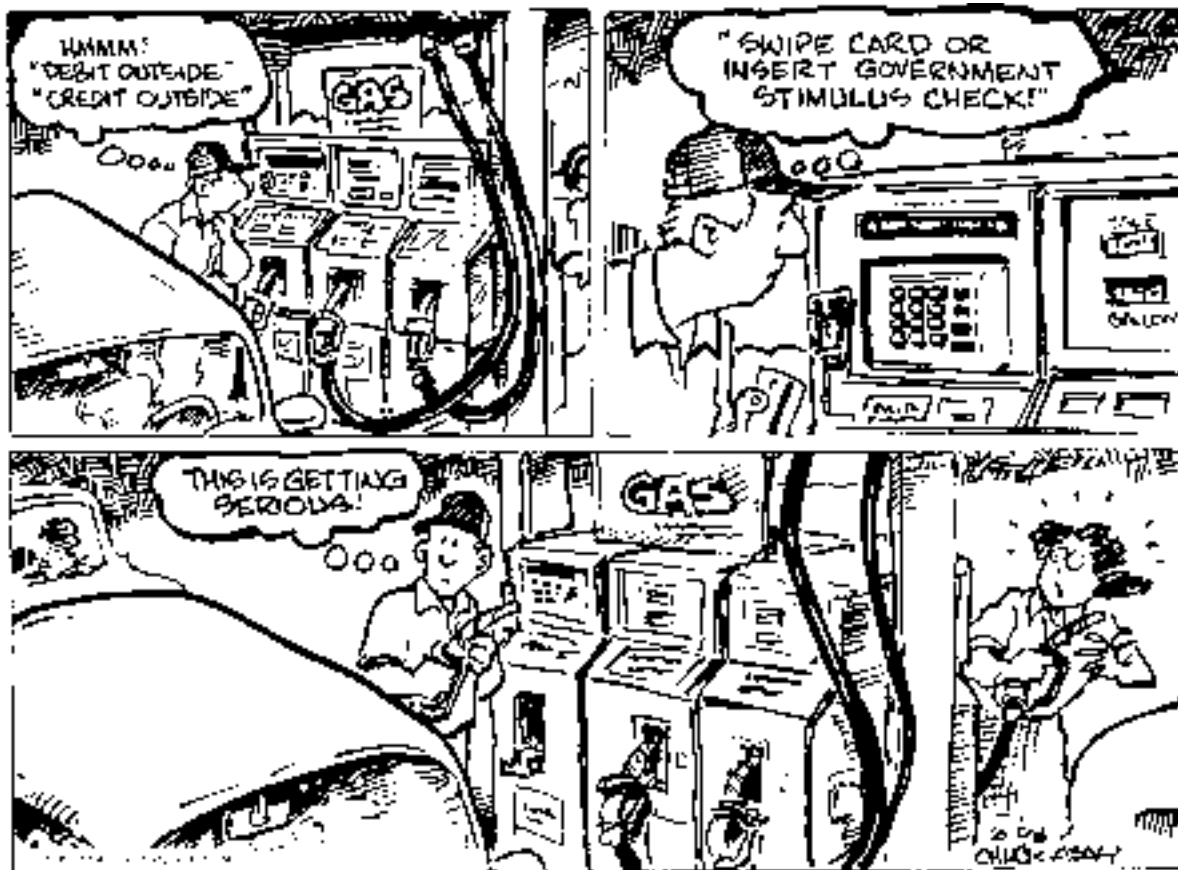
Economic populists on the campaign trail often imply that the richest Americans are now shouldering less of the federal tax burden than they did in recent decades. However, according to a report by Stephen Moore of *The Wall Street Journal*, "Lower tax rates have made the tax system more progressive, not less so."

Moore's report has recently been confirmed by the latest statistics from the Congressional Budget Office. In 1981, the highest quintile of income earners paid 56.4 percent of federal taxes. In 2005, the top quintile paid 68.7 percent of all federal taxes, an increase of 12.3 percent.

The bottom quintile is paying less in taxes than it did in 1981, 0.8 percent of taxes in 2005, compared to 1.8 percent in 1981. The middle classes are also paying less in taxes. The middle quintile has gone from paying 13 percent in 1981 to 9.3 percent in 2005.

The CBO report also showed the relevant tax burdens of each group. In 2005, the top quintile earned 51.6 percent of all income after taxes but paid 68.7 percent of federal taxes. The top 10 percent of income earners took home 37.4 percent of after-tax income but paid 43.8 percent of federal taxes. However, the four lower-earning quintiles earned a significantly higher percentage of after-tax income than they paid in federal taxes.

CJ

*If It Can Be Done, Should It?*

With oil prices approaching \$150 a barrel and gas prices more than \$4 a gallon, everyone is looking for an alternative to these two fuels. Just about every day, it seems, the "next fuel" is discovered.

Recently, I read about Canadian scientists claiming to have extracted fuel from the unwanted and disliked kudzu plant. I had to smile when I saw this, because a couple of years ago I wrote a novel (the "economic thriller" *Micro Mischief*), which was based on this very premise! Who would have ever thought?

But "kudzu fuel" is just the latest. People are excited about fuel being made from crops, from grass, from animal waste, from wind, from rocks (oil shale), from the sun, from ocean tides, from under the ground (geothermal), and from hydrogen, to name a few.

However, any fuel — indeed, any invention — must pass two tests to be successful. The first is simply that the invention is technically possible. Simply put, it must work. This means that we can use the kudzu plant to make a fuel to power our cars and trucks, or that solar power can be transformed into electricity to heat and cool our homes.

The technical test also goes beyond the laboratory. A fuel is no good unless it can be delivered from the production point to the end user. So promoters of alternative fuels must also think about how that fuel will be trucked, piped, wired, or otherwise sent to the millions of necessary convenient outlet points for consumer use. This has been an issue with ethanol.

Safety and pollution are other considerations in the technical feasibility of fuels. Clearly, we want a fuel to be safe in its production, delivery, and use. While safety is taken for granted with current fuels such as oil and gasoline, it is an issue with the fuel that many see as the successor to oil — hydrogen. Advocates of hydrogen power are working

hard to overcome questions about safety, and they will have to pass the safety tests beyond a shadow of a doubt for the fuel to be feasible and accepted.

The same is true with pollution. We want alternative fuels to be low polluters both as they are manufactured and as they are used. By this standard, there are some concerns about fully electrically powered vehicles. The issue is that electricity is not a basic fuel — it must be generated from some other source, such as oil, coal, water, or nuclear. So if, for example, a shift to electric cars increases coal-based electricity generation, air pollution might actually rise.

If all the technical tests for a fuel are passed, there still looms one more hurdle: the economic test. For any fuel to be successful, enough consumers must be willing to pay a price high enough to cover all the fuel's costs.

It's this economic test that's making it so hard for many alternative fuels to break through to widespread use. Although it has become cheaper, by most measures solar power is still more expensive than other heating and cooling fuels, especially when the cost of installing the panels is included. The same goes for wind power and tide power.

Some suggest the government level the price playing field between conventional fuels and alternative fuels by increasing taxes on conventional fuels. Of course, any move to substantially increase taxes on conventional fuels, such as gasoline, especially at a time when those prices are historically high, would likely run into severe opposition.

One prediction, at least to this economist, is for sure. As the price of conventional fuels rises, more alternative fuels will pass both tests. We just have to be patient.

CJ

*Dr. Michael L. Walden is a William Neal Reynolds distinguished professor at North Carolina State University.*



MICHAEL WALDEN

# State Budget Gets Nearly Everything Wrong

The budget is the most important policy document of the legislative year. The 2008-09 budget spends \$21.3 billion, includes modest pay increases of 3 percent for teachers and of 2.75 percent for state employees, postpones the gift tax and expansion of the earned income tax credit, and increases spending over last year by more than 3 percent.

And it gets nearly every policy wrong.

It commits government resources in the wrong places, with the wrong assumptions, and with no evaluation of the results. Worst of all, it increases the state's debt to dangerous levels with no approval from those paying the bill, the voters.

This budget spends more money than ever, and although there are no tax increases, there are plenty of fee increases and transfers of funds that had been set aside for other uses. It's a shell game of moving money from one pot to another. There is no long-range,



**BECKI GRAY**

responsible fiscal plan to move the state forward.

State government is a closed club. Budget negotiations took place, not with the 170 duly elected members of the General Assembly, not with the 121 members appointed to the conference committee, but with 13 appropriations committee chairs, all from the majority party, with final decisions made by two people, Joe Hackney and Marc Basnight.

Copies of the 237-page budget were available late July 3 and the vote was taken July 7. Debate was limited. No amendments were allowed. Members voted either yes or no. Take it or leave it.

There is spending in this budget that's unclear, at best. A total of \$700,000 goes into a "tax relief" account, but the budget does not designate for whom or for what. There is a \$45 million reduction in availability due to "economic uncertainty." In a transparent and open budget, it should be clear where every penny goes.

Government doesn't just get bigger with more spending. The Assembly added 400 full-time state employees to state government. All will require health insurance, retirement

contributions, and other benefits.

This budget continues to pour money into tax breaks for targeted companies. There is more than \$42 million more in corporate welfare to various funds and specific projects. This money would be much better spent on infrastructure, roads, Internet access, water facilities and sewerage, and providing an attractive environment for all businesses to grow and flourish.

There is next to nothing in the budget to address the state's transportation needs. Legislators finally reduced the transfer out of the Highway Trust Fund so \$25 million stays in the transportation budget instead of going into the General Fund. This move is a good one, and it needs to be expanded.

But with road maintenance and construction and bridge repairs ignored again, and the state's debt limits pushed, there is little debt capacity left to address these critical needs.

But the most egregious flaw in the budget is new debt. The budget increases borrowing by more than \$1 billion, with more than \$200 million in additional debt that will be realized under the 2009 legislature, all for

capital projects. The state constitution requires that debt be paid before anything else, which is a responsible requirement.

However, when the debt is so large and extended so far, as in this budget, less money is available for more pressing needs. The debt also limits the state's flexibility to address future declines in revenue.

As of June 30, 2007, North Carolina had \$6 billion in bond debt — \$5 billion in general obligation bonds and \$1 billion in certificate of participation bonds. The budget adds more than \$1 billion in new COPs indebtedness for 31 projects.

North Carolina deserves better. From the process of only a few legislators meeting behind closed doors, limiting debate on the budget and holding to old failed policies, and recklessly incurring debt, no one wins.

We need open and transparent government, where all voices are heard and true democracy is the rule of the day. The budget does nothing to move our state forward. Let's hope there is a change in the 2009 session. *CJ*

*Becki Gray is vice president of outreach for the John Locke Foundation.*

## Sen. Jesse Helms — An American Hero

One of my fondest memories of Sen. Jesse Helms was election night 1990, when Helms had just defeated former Charlotte Mayor Harvey Gantt.

Let me set the scene:

All the major networks had just called the race in Helms' favor. My wife and I, along with other Helms loyalists and aides, were in a hotel suite in downtown Raleigh watching the returns with the senator and his wife, "Ms. Dot."

Helms' supporters had gathered in the first-floor ballroom along with all the North Carolina press corps and other media from across the country and the world. As



**MARC ROTTERMAN**

Dan Rather of CBS reluctantly called the race for Helms, I recall seeing a big grin coming over the senator's face.

By now, the time had arrived to exit the suite and head downstairs so Helms could once again graciously accept another six-year term and thank the people for their support.

The crowd was at "fever pitch," crying Jesse, Jessee!

Helms, who understood the

art of seizing the moment better than almost any other public figure I have been associated with, paused after getting to the stage. He waited for the crowd to quieten. Then, at precisely the right moment, Helms said, "I'd have been down here sooner, but I was watching the grieving face of Dan Rather as he announced my re-election to the United States Senate."

The crowd in the ballroom went nuts.

For conservatives, Helms was the real deal. In this era of big-government conservatism and blow-dried politicians, Helms was one man that conservatives could always count on. Helms had unwavering belief in America, and he didn't need a poll or consultant to tell him what he believed.

In the opinion of many conservatives, only President Ronald Reagan had more impact politically in the last half of the 20th century than did Helms. Like Reagan, Helms was a staunch anticommunist who instinctively knew that communism was a politically defunct philosophy whose worldwide influence would not long endure.

For Helms, every fiber of his being was repulsed by a system that imprisoned its citizens for doing what Americans do everyday — speak their minds.

It can also be said that politically, Reagan had no better friend than Helms.

Helms' support for Reagan in North Carolina in the 1976 primary produced a 52 percent-to-48 percent victory for Reagan's troubled candidacy and propelled him to the Republican National Convention in Kansas City, where Reagan captured, if not the votes, the hearts and minds of the delegates with his performance and speech that year.

Many would argue that 1976 set the stage for Reagan's victory in 1980.

It is no secret that Helms was no fan of the United Nations. During his tenure as chairman of the Senate Foreign Relations Committee, Helms challenged the U.N.'s bureaucracy by refusing to approve the payment of America's dues.

To Helms it was a matter of principle and conscience. Helms bottled up appropriations to pay millions of U.S. back dues to the United Nations until he got U.N. officials to agree to make substantial reforms.

As a statesman, Helms responded to accusations of obstructionism by saying his role was to slow the wheels of diplomacy and carefully consider America's international commitments. Helms understood that he had the power to help shape U.S. international policy by blocking initiatives and

nominees with whom he disagreed.

The senior senator from North Carolina always had time for his constituents — especially for young people. Through the years of his service, the Senate interns and pages loved him. He was one of their favorites on Capitol Hill.

For those fortunate enough to have known and worked with him, we will remember Helms as an "old school Southern gentlemen" who was principled and polite and courteous, even to those with whom he disagreed.

His Senate colleagues on the opposite side of the aisle might have argued with him, but they always knew where he stood. Helms went to Washington, but never became a part of Washington. He remained loyal to his old friends, steadfast in his values and beliefs, and always true in his heart to the people of North Carolina.

The institution of the U.S. Senate has not been the same without him, and we in North Carolina are proud of the role that this unique and special Tar Heel played in the history of our country and on the world stage.

He will be profoundly missed. *CJ*

*Marc Rotterman is a senior fellow of the John Locke Foundation and a former member of the board of the American Conservative Union.*

## All Aboard! More N.C. State Contracts Released (a *CJ* parody)

BY RICKY WATSON  
Roving Correspondent

RALEIGH

NCSU's chief academic officer, Provost Larry Nielsen, recently told reporters that if people were shocked at first lady Mary Easley's N.C. State employment contract, they are surely going to be upset with some other contracts he has signed.

Nielsen made the declaration after *Carolina Journal's* reporting of Ms. Easley's 88 percent pay raise at N.C. State University created a journalistic and political firestorm.

A raise on July 1 took Ms. Easley's salary to \$170,000 per year. Her title became executive in residence, even though her resume shows that she has never been an executive and that she certainly doesn't live on campus.

The new NCSU contracts include one for Randy Parton as executive theater manager in residence. He will take over as manager of Stewart Theatre for an annual salary of \$275,000, living quarters on campus, and a car of his choice.

Nielsen said Parton was a "great catch that we can be proud of." He said he knew little about Parton's troubles in Roanoke Rapids, but that state Senate



Recent events have inspired a group of NCSU alums to come up with a new promotional idea for their school. (*CJ* parody photo)

boss Marc Basnight spoke highly of the entertainer.

In another surprise, Michael Easley Jr., 22, son of the governor, has accepted the position of assistant director of the NCSU prelaw program, even though he will be continuing his own legal studies at UNC-Chapel Hill.

"Mike Junior will be great because he can relate so well to the abundant supply of young and pampered students in our prelaw program," Nielsen said.

Mike Junior's salary will be \$120,000 per year.

Also, Cultural Resources Secretary Libba Evans has accepted a position as culture executive in residence. Her salary has not been determined, but Nielsen said Evans told him she would not accept anything less than Ms. Easley's \$170,000.

"She also mumbled something about 'sexism,' the meaning of which was not quite clear to me," he said.

Franklin Freeman, a senior aide to Gov. Mike Easley, also has landed a contract.

Freeman, a former state Supreme Court justice, has accepted a position as senior special executive in residence at a salary of \$375,000 per year.

"Freeman brings unique skills and experience to the university. He could certainly be making more in the private sector. We applaud his dedication to public service," Nielsen said.

He did not explain what Freeman's duties would be.

The governor said that he had nothing to do with the contracts but that he was happy to see his friends and relatives sacrifice lucrative private sector jobs for careers in public service.

"I have been in public service my entire life and can assure you it is not a path to building wealth," he said in a statement released Aug. 3.

UNC President Erskine Bowles said he was disturbed when he learned about the new contracts.

"My deepest concern is not the amount of money that N.C. State is paying at this time," Bowles said. "It is that this will start a bidding war between our 16 campuses, and some of these salaries will likely double." *CJ*

# E.A. MORRIS

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